

**JOURNAL**

**OF**

**THE SENATE**

**OF**

**THE UNITED STATES OF AMERICA;**

**BEING THE SECOND SESSION OF THE ELEVENTH CONGRESS;**

**BEGUN AND HELD**

**AT THE CITY OF WASHINGTON,**

**NOVEMBER 27, 1809,**

**AND IN THE THIRTY-FOURTH YEAR OF THE INDEPENDENCE OF THE SAID STATES.**

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**WASHINGTON:**

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**1821.**

# CONGRESS OF THE UNITED STATES.

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**T**HE Second Session of the Eleventh Congress, conformably to the act passed the last session, entitled "An act to fix the time for the next meeting of Congress," commenced this day; and the Senate assembled at the city of Washington.

**MONDAY, NOVEMBER 27, 1809.**

## PRESENT,

From the State of New Hampshire,	the Honorable	Nicholas Gilman.
Massachusetts,	the Honorable	Timothy Pickering.
Connecticut,	the Honorable	Chauncey Goodrich.
Vermont,	the Honorable	{ Stephen R. Bradley, and Jonathan Robinson.
New Jersey,	the Honorable	John Lambert.
Pennsylvania,	the Honorable	{ Andrew Gregg, and Michael Leib.
Virginia,	the Honorable	William B. Giles.
North Carolina,	the Honorable	James Turner.
South Carolina,	the Honorable	{ Thomas Sumter, and John Gaillard.
Kentucky,	the Honorable	{ Buckner Thruston, and John Pope.
Ohio,	the Honorable	{ Return Jonathan Meigs, and Stanley Griswold.

The number of Senators present not being sufficient to constitute a quorum,

On motion,

The Senate adjourned to 11 o'clock to-morrow morning.

**TUESDAY, NOVEMBER 28, 1809.**

The Senate assembled; present as yesterday; and the Honorable Obediah German, from the state of New York, the Honorable James Hillhouse, from the state of Connecticut, the Honorable Elisha Mathewson, from the state of Rhode Island, and the Honorable Nahum Parker, from the state of New Hampshire, severally attended.

The Honorable Andrew Gregg, President pro tempore, resumed the chair.

The President communicated a letter from the surveyor of the public buildings, stating the difficulties that have prevented the entire completion of the permanent Senate chamber; which letter was read.

On motion, by Mr. Gilman,

*Ordered,* That the Secretary acquaint the House of Representatives that a quorum of the Senate is assembled and ready to proceed to business.

On motion,

*Ordered,* That Messrs. Gilman and Gaillard be a committee on the part of the Senate, together with such committee as may be appointed by the House of Representatives on their part, to wait on the President of the United States and notify him that a quorum of the two Houses is assembled and ready to receive any communications that he may be pleased to make to them.

*Ordered*, That the Secretary acquaint the House of Representatives therewith.

A message from the House of Representatives, by Mr. Magruder, their Clerk:

*Mr. President*: I am directed to inform the Senate that a quorum of the House of Representatives is assembled and ready to proceed to business.

The House of Representatives have appointed a committee on their part, jointly, with such committee as may be appointed on the part of the Senate, to wait on the President of the United States and notify him that a quorum of the two Houses is assembled and ready to receive any communications that he may be pleased to make to them. And he withdrew.

On motion, by Mr. Gilman,

*Resolved*, That each Senator be supplied, during the present session, with three such newspapers printed in any of the states as he may choose, provided that the same be furnished at the usual rate for the annual charge of such papers: and, provided, also, that if any Senator shall choose to take any newspapers other than daily papers, he shall be supplied with as many such papers as shall not exceed the price of three daily papers.

On motion, by Mr. Bradley,

*Resolved*, That James Mathers, Sergeant-at-Arms and Doorkeeper to the Senate, be, and he is hereby, authorized to employ one assistant and two horses, for the purpose of performing such services as are usually required by the Doorkeeper to the Senate; and that the sum of twenty-eight dollars be allowed him weekly for that purpose, to commence with, and remain during the session, and for twenty days after.

Mr. Gilman reported, from the joint committee, that they had waited on the President of the United States, agreeably to order, and that the President of the United States informed the committee that he would make a communication to the two Houses to-morrow, at 12 o'clock.

On motion,

The Senate adjourned to 11 o'clock to-morrow morning.

### WEDNESDAY, NOVEMBER 29, 1809.

The Honorable James Lloyd, from the state of Massachusetts, attended.

On motion, by Mr. Bradley,

*Resolved*, That the letter from the surveyor of the public buildings, communicated yesterday, be referred to a select committee, to consider and report thereon; and

*Ordered*, That Messrs. Bradley, Lloyd, and Leib, be the committee.

The following written message was received from the President of the United States, by Mr. Graham:

*Fellow-citizens of the Senate and of the House of Representatives*:

At the period of our last meeting, I had the satisfaction of communicating an adjustment with one of the principal belligerent nations, highly important in itself, and still more so, as presaging a more extended accommodation. It is with deep concern, I am now to inform you, that the favorable prospect has been overclouded by a refusal of the British government to abide by the act of its minister plenipotentiary, and by its ensuing policy towards the United States, as seen through the communications of the minister sent to replace him.

Whatever pleas may be urged for a disavowal of engagements formed by diplomatic functionaries, in cases where by the terms of the engagements a mutual ratification is reserved; or where notice at the time may have been given of a departure from instructions; or in extraordinary cases, essentially violating the principles of equity; a disavowal could not have been apprehended in a case where no such notice or violation existed; where no such ratification was reserved; and, more especially, where, as is now in proof, an engagement, to be executed without any such ratification, was contemplated by the instructions given, and where it had, with good faith, been carried into immediate execution on the part of the United States.

These considerations not having restrained the British government from disavowing the arrangement, by virtue of which its orders in council were to be revoked, and the event authorizing the renewal of commercial intercourse having thus not taken place, it necessarily became a question of equal urgency and importance, whether the act prohibiting that intercourse was not to be considered as remaining in legal force. This question being, after due deliberation, determined in the affirmative, a proclamation to that effect was issued. It could not but happen, however, that a return to this state of things, from that which had followed an execution of the arrangement by the United States, would involve difficulties. With a view to diminish these as much as pos-

sible, the instructions from the Secretary of the Treasury, now laid before you, were transmitted to the collectors of the several ports. If, in permitting British vessels to depart without giving bonds not to proceed to their own ports, it should appear, that the tenor of legal authority has not been strictly pursued, it is to be ascribed to the anxious desire which was felt, that no individuals should be injured by so unforeseen an occurrence: And I rely on the regard of Congress for the equitable interests of our own citizens, to adopt whatever further provisions may be found requisite for a general remission of penalties involuntarily incurred.

The recal of the disavowed minister having been followed by the appointment of a successor, hopes were indulged that the new mission would contribute to alleviate the disappointment which had been produced, and to remove the causes which had so long embarrassed the good understanding of the two nations. It could not be doubted, that it would at least be charged with conciliatory explanations of the step which had been taken, and with proposals to be substituted for the rejected arrangement. Reasonable and universal as this expectation was, it also has not been fulfilled. From the first official disclosures of the new minister, it was found that he had received no authority to enter into explanations relative to either branch of the arrangement disavowed, nor any authority to substitute proposals, as to that branch which concerned the British orders in council. And, finally, that his proposals with respect to the other branch, the attack on the frigate *Chesapeake*, were founded on a presumption, repeatedly declared to be inadmissible by the United States, that the first step towards adjustment was due from them; the proposals at the same time, omitting even a reference to the officer answerable for the murderous aggression, and asserting a claim not less contrary to the British laws and British practice, than to the principles and obligations of the United States.

The correspondence between the Department of State and this minister will show how unessentially the features presented in its commencement have been varied in its progress. It will show, also, that, forgetting the respect due to all governments, he did not refrain from imputations on this, which required that no further communications should be received from him. The necessity of this step will be made known to his Britannic majesty, through the minister plenipotentiary of the United States in London. And it would indicate a want of the confidence due to a government which so well understands and exacts what becomes foreign ministers near it, not to infer that the misconduct of its own representative will be viewed in the same light in which it has been regarded here. The British government will learn, at the same time, that a ready attention will be given to communications, through any channel which may be substituted. It will be happy, if the change in this respect should be accompanied by a favorable revision of the unfriendly policy which has been so long pursued towards the United States.

With France, the other belligerent, whose trespasses on our commercial rights have long been the subject of our just remonstrances, the posture of our relations does not correspond with the measures taken on the part of the United States to effect a favorable change. The result of the several communications made to her government, in pursuance of the authorities vested by Congress in the Executive, is contained in the correspondence of our minister at Paris, now laid before you.

By some of the other belligerents, although professing just and amicable dispositions, injuries materially affecting our commerce have not been duly controlled or repressed. In these cases, the interpositions deemed proper on our part have not been omitted. But, it well deserves the consideration of the legislature, how far both the safety and the honor of the American flag may be consulted, by adequate provisions against that collusive prostitution of it by individuals, unworthy of the American name, which has so much favored the real or pretended suspicions, under which the honest commerce of their fellow-citizens has suffered.

In relation to the powers on the coast of Barbary, nothing has occurred which is not of a nature rather to inspire confidence than distrust, as to the continuance of the existing amity. With our Indian neighbors, the just and benevolent system, continued towards them, has also preserved peace, and is more and more advancing habits favorable to their civilization and happiness.

From a statement which will be made by the Secretary of War, it will be seen that the fortifications on our maritime frontier are in many of the ports completed; affording the defence which was contemplated, and that a further time will be required to render complete the works in the harbor of New York, and in some other places. By the enlargement of the works, and the employment of a greater number of hands at the public armories, the supply of small arms, of an improving quality, appears to be an-

nually increasing at a rate, that, with those made on private contract, may be expected to go far towards providing for the public exigency.

The act of Congress providing for the equipment of our vessels of war having been fully carried into execution, I refer to the statement of the Secretary of the Navy for the information which may be proper on that subject. To that statement is added a view of the transfers of appropriations, authorized by the act of the session preceding the last, and of the grounds on which the transfers were made.

Whatever may be the course of your deliberations on the subject of our military establishments, I should fail in my duty in not recommending to your serious attention the importance of giving to our militia, the great bulwark of our security and resource of our power, an organization the best adapted to eventual situations, for which the United States ought to be prepared.

The sums which had been previously accumulated in the Treasury, together with the receipts during the year ending on the 30th of September last, (and amounting to more than nine millions of dollars,) have enabled us to fulfil all our engagements, and to defray the current expenses of government, without recurring to any loan. But, the insecurity of our commerce, and the consequent diminution of the public revenue, will probably produce a deficiency in the receipts of the ensuing year, for which, and for other details, I refer to the statements which will be transmitted from the Treasury.

In the state which has been presented of our affairs with the great parties to a disastrous and protracted war, carried on in a mode equally injurious and unjust to the United States as a neutral nation, the wisdom of the national legislature will be again summoned to the important decision on the alternatives before them. That these will be met in a spirit worthy the councils of a nation conscious both of its rectitude and of its rights, and careful as well of its honor as of its peace, I have an entire confidence. And that the result will be stamped by a unanimity becoming the occasion, and be supported by every portion of our citizens, with a patriotism enlightened and invigorated by experience, ought as little to be doubted.

In the midst of the wrongs and vexations experienced from external causes, there is much room for congratulation on the prosperity and happiness flowing from our situation at home. The blessing of health has never been more universal. The fruits of the seasons, though in particular articles and districts short of their usual redundancy, are more than sufficient for our wants and our comforts. The face of our country every where presents the evidence of laudable enterprize, of extensive capital, and of durable improvement. In a cultivation of the materials, and the extension of useful manufactures, more especially in the general application to household fabrics, we behold a rapid diminution of our dependence on foreign supplies. Nor is it unworthy of reflection, that this revolution in our pursuits and habits is in no slight degree a consequence of those impolitic and arbitrary edicts, by which the contending nations, in endeavoring each of them to obstruct our trade with the other, have so far abridged our means of procuring the productions and manufactures, of which our own are now taking the place.

Recollecting always, that, for every advantage which may contribute to distinguish our lot from that to which others are doomed by the unhappy spirit of the times, we are indebted to that Divine Providence whose goodness has been so remarkably extended to this rising nation, it becomes us to cherish a devout gratitude, and to implore from the same Omnipotent source a blessing on the consultations and measures about to be undertaken for the welfare of our beloved country.

JAMES MADISON.

*November 29, 1809.*

The message and documents therein referred to were read.

On motion, by Mr. Bradley,

*Ordered,* That five hundred copies of the message, and also five hundred copies of the message together with five hundred copies of the documents, be printed for the use of the Senate.

On motion, by Mr. Goodrich,

*Resolved, unanimously,* That the members of the Senate, from a sincere desire of showing their respect to the memory of the Honorable Samuel White, deceased, late a member thereof, will go into mourning for him one month, by the usual mode of wearing a crape round the left arm.

On motion,

The Senate adjourned to 11 o'clock to-morrow morning.

THURSDAY, NOVEMBER 30, 1809.

The Honorable Philip Reed, from the state of Maryland, attended.

The Honorable John Condit, appointed a Senator by the legislature of the state of New Jersey, in the place of the Honorable Aaron Kitchel, resigned, produced his credentials, which were read; and the oath prescribed by law having been administered to him, he took his seat in the Senate.

On motion, by Mr. Meigs,

*Resolved*, That two chaplains, of different denominations, be appointed to Congress during the present session, one by each House, who shall interchange weekly.

*Ordered*, That the Secretary request the concurrence of the House of Representatives in this resolution.

The following motion was submitted, by Mr. Giles, for consideration:

*Resolved*, That so much of the message of the President of the United States as respects the relations existing between the United States and Great Britain and France, with the accompanying documents, be referred to a select committee, with instructions to examine the same and report thereon to the Senate; and that the committee have leave to report by bill, bills, or otherwise.

On motion,

The Senate adjourned to 11 o'clock to-morrow morning.

### FRIDAY, DECEMBER 1, 1809.

The Senate resumed the consideration of the motion submitted yesterday by Mr. Giles; and

*Resolved*, That so much of the message of the President of the United States as respects the relations existing between the United States and Great Britain and France, with the accompanying documents, be referred to a select committee, with instructions to examine the same, and report thereon to the Senate; and that the committee have leave to report by bill, bills, or otherwise; and,

*Ordered*, That Messrs. Giles, Pope, Bradley, Goodrich, Leib, Sumter, and Gilman, be the committee.

The following motion was submitted for consideration, by Mr. Leib:

*Resolved*, That so much of the message of the President of the United States as relates to an efficient organization of the militia of the United States be referred to a select committee, with leave to report by bill or otherwise.

On motion, by Mr. Bradley,

*Resolved*, That a committee be appointed agreeable to the 22d rule for conducting business in the Senate; and,

*Ordered*, That Messrs. Gilman, Griswold, and Mathewson, be the committee.

On motion, by Mr. Bradley,

*Resolved*, That a committee be appointed for enrolled bills, jointly with such committee as may be appointed for that purpose on the part of the House of Representatives; and,

*Ordered*, That Mr. Condit be the committee on the part of the Senate.

*Ordered*, That the Secretary notify the House of Representatives accordingly.

On motion,

The Senate adjourned to 11 o'clock on Monday morning.

### MONDAY, DECEMBER 4, 1809.

The Honorable Richard Brent, from the state of Virginia, and the Honorable William H. Crawford, from the state of Georgia, severally attended.

The Honorable Samuel Smith, appointed a Senator by the legislature of the state of Maryland, from the 15th November, 1809, to the 4th of March, 1815, produced his credentials, which were read; and the oath prescribed by law having been administered to him, he took his seat in the Senate.

A message from the House of Representatives, by Mr. Magruder, their Clerk:

*Mr. President*: The House of Representatives concur in the resolution of the Senate of the 30th of November, for the appointment of chaplains, and have appointed the reverend Jesse Lee chaplain on their part. They also concur in the resolution of the Senate, of the 1st instant, for the appointment of a committee for enrolled bills, and have appointed a committee on their part. And he withdrew.

The following motion was submitted by Mr. Pope, for consideration:

*Resolved*, by the Senate and House of Representatives of the United States of America in Congress assembled, two-thirds of both Houses concurring, That the following section be submitted to the legislatures of the several states, which, when ratified and confirmed by the legislatures of three-fourths of the states, shall be valid and binding as a

part of the constitution of the United States, in lieu of the first section of the third article thereof.

"The judicial power of the United States shall be vested in one supreme court and in such inferior courts as the Congress may from time to time ordain and establish. The judges, both of the supreme and inferior courts, shall hold their offices during good behavior, or until they shall have respectively attained the age of sixty-five years. But, for any reasonable cause which shall not be sufficient ground of impeachment, the President shall remove any of them on the address of \_\_\_\_\_ of each House of Congress: *Provided, however,* That the cause or causes for which such removal may be required shall be stated in such address and on the journal of each House. They shall at stated times receive for their services an adequate compensation, to be fixed by law."

On motion,

The Senate adjourned to 11 o'clock to-morrow morning.

### TUESDAY, DECEMBER 5, 1809.

The following written message was received from the President of the United States, by Mr. Coles, his Secretary:

*To the Senate and House of Representatives of the United States:*

I now transmit a report of the Secretary of the Navy, containing statements from that Department, referred to in my message of the 29th ultimo.

JAMES MADISON.

The message and report were read.

*Ordered,* That they lie for consideration.

Mr. Giles, from the committee appointed on the 1st instant, on that part of the message of the President of the United States which respects the relations existing between the United States and Great Britain and France, reported in part a resolution on the subject, which was read.

*Ordered,* That it pass to the second reading.

Mr. Giles, from the same committee, also further reported, in part, a bill to prevent the abuse of the privileges and immunities enjoyed by foreign ministers within the United States; which was read.

*Ordered,* That it pass to the second reading.

A message from the House of Representatives, by Mr. Magruder, their Clerk:

*Mr. President:* The House of Representatives have passed a bill, entitled "An act to authorize the transportation of certain documents free of postage;" in which they request the concurrence of the Senate. And he withdrew.

The bill last mentioned was read.

*Ordered,* That it pass to the second reading.

The Senate resumed the consideration of the motion made on the 1st instant, by Mr. Leib; and,

*Resolved,* That so much of the message of the President of the United States as relates to an efficient organization of the militia of the United States be referred to a select committee, with leave to report by bill or otherwise; and,

*Ordered,* That Messrs. Smith, of Maryland, Leib, Bradley, Sumter, and German, be the committee.

On motion, by Mr. Bradley,

The Senate proceeded to the election of a chaplain, on their part, in pursuance of the resolution of the two Houses, and the whole number of votes collected was 22, of which the reverend Mr. Brown had 12, and was accordingly elected.

*Ordered,* That the Secretary notify the House of Representatives accordingly.

After the consideration of the Executive business,

The Senate adjourned to 11 o'clock to-morrow morning.

### WEDNESDAY, DECEMBER 6, 1809.

The resolution reported yesterday from the committee appointed on that part of the message of the President of the United States which respects foreign relations, was read the second time.

The bill to prevent the abuse of the privileges and immunities enjoyed by foreign ministers in the United States was read the second time; and

On motion, by Mr. Smith, of Maryland,

It was agreed that the further consideration thereof be the order of the day for to-morrow.

The bill, entitled "An act to authorize the transportation of certain documents free of postage," was read the second time as in committee of the whole, and amended; and the President having reported the bill to the House accordingly.

On the question, Shall this bill be read a third time as amended?

It was determined in the affirmative.

Mr. Leib presented the petition of Joseph Joshua Dyster, a native of England, stating that he had discovered a new principle for the erection of iron bridges, and exhibiting a prospectus thereof, but arriving in America only on the 5th day of May last, he had not resided in the country the term prescribed by law to entitle him to become a citizen of the United States, although it was his intention. He therefore prays an act of the legislature may be passed to enable him immediately to obtain, at the office of the Secretary of State, any patent or patents to which he might be entitled were he an American citizen; and the petition and paper therein referred to were read.

On motion, by Mr. Leib,

*Resolved*, That they be referred to a select committee, to consider and report thereon by bill or otherwise.

*Ordered*, That Messrs. Leib, Bradley, and Brent, be the committee.

The resolution submitted on the 4th inst. for an amendment to the constitution of the United States was read.

*Ordered*, That it pass to the second reading.

After the consideration of the Executive business,

The Senate adjourned to 11 o'clock to-morrow morning.

#### THURSDAY, DECEMBER 7, 1809.

Mr. Bradley presented the petition of Charles Minifie, stating that, in April, 1803, he contracted for and supplied the Navy Department with a quantity of spars, for which, by casualty, he hath not been fully compensated, and praying relief, for reasons stated at large in his petition; which was read, together with the accompanying documents.

On motion, by Mr. Bradley,

*Resolved*, That they be referred to a select committee, to consider and report thereon; and,

*Ordered*, That Messrs. Bradley, Goodrich, and Leib, be the committee.

Mr. Gilman, from the committee, reported the amendment to the bill, entitled "An act to authorize the transportation of certain documents free of postage," correctly engrossed; and the bill was read the third time as amended.

*Resolved*, That this bill pass with an amendment.

*Ordered*, That the Secretary request the concurrence of the House of Representatives therein.

Mr. Leib gave notice that he should to-morrow ask leave to bring in a bill to repeal the act, entitled "An act to suspend for a limited time the recruiting service."

The Senate resumed the consideration of the resolution reported on the 5th instant, from the committee appointed on that part of the message of the President of the United States which respects the relations existing between the United States and Great Britain and France, as in committee of the whole.

On motion, by Mr. Pope,

It was agreed, that the further consideration thereof be postponed until to-morrow.

The Senate resumed, as in committee of the whole, the bill to prevent the abuse of the privileges and immunities enjoyed by foreign ministers within the United States.

On motion, by Mr. Pope,

It was agreed that the further consideration thereof be postponed until to-morrow.

The resolution submitted on the 4th instant for an amendment to the constitution of the United States was read the second time.

On motion, by Mr. Pope,

*Resolved*, That it be referred to a select committee, to consist of five members; and

*Ordered*, That Messrs. Pope, Goodrich, Crawford, Lloyd, and Brent, be the committee, to consider and report thereon.

A message from the House of Representatives, by Mr. Magruder, their Clerk:

*Mr. President*: The House of Representatives have passed a bill, entitled "An act supplemental to an act, entitled 'An act extending the right of suffrage in the Indiana territory, and for other purposes,' in which they request the concurrence of the Senate. And he withdrew.

The bill last mentioned was read.

*Ordered*, That it pass to the second reading.

Mr. Pope gave notice that to-morrow he should ask leave to bring in a bill in addition.

tion to the act to regulate the laying out and making a road from Cumberland, in the state of Maryland, to the state of Ohio.

Mr. Bradley gave notice that to-morrow he should ask leave to bring in a bill to incorporate religious societies in the District of Columbia.

On motion,

The Senate adjourned to 11 o'clock to-morrow morning.

### FRIDAY, DECEMBER 8, 1809.

A message from the House of Representatives, by Mr. Magruder, their Clerk:

*Mr. President:* The House of Representatives concur in the amendment of the Senate to the bill, entitled "An act to authorize the transportation of certain documents free of postage." And he withdrew.

Mr. Condit, from the committee, reported that they had examined and found duly enrolled the bill last mentioned.

The President laid before the Senate the report of the Secretary of the Treasury, prepared in obedience to the act, entitled "An act to establish the Treasury Department;" which, together with the accompanying documents, were read.

*Ordered,* That they lie for consideration.

The bill, entitled "An act supplemental to an act, entitled 'An act extending the right of suffrage in the Indiana territory, and for other purposes,'" was read the second time.

On motion, by Mr. Pope,

*Resolved,* That it be referred to a select committee to consider and report thereon; and

*Ordered,* That Messrs. Pope, Meigs, and Crawford, be the committee.

Agreeably to notice given, Mr. Leib asked and obtained leave to bring in a bill to repeal the act, entitled "An act to suspend for a limited time the recruiting service;" and the bill was read.

*Ordered,* That it pass to the second reading.

A message from the House of Representatives, by Mr. Magruder, their Clerk:

*Mr. President:* The Speaker of the House of Representatives having signed an enrolled bill, I am directed to bring it to the Senate, for the signature of their President. And he withdrew.

The President signed the enrolled bill last reported to have been examined, and it was delivered to the committee, to be laid before the President of the United States.

The Senate resumed, as in committee of the whole, the resolution reported on the 5th instant by the committee appointed on that part of the message of the President of the United States, which respects the relations existing between the United States and Great Britain and France; and the President having reported the resolution to the House without amendment,

On the question, Shall this resolution be engrossed and read the third time?

It was determined in the affirmative.

The Senate resumed, as in committee of the whole, the bill to prevent the abuse of the privileges and immunities enjoyed by foreign ministers within the United States.

On motion, by Mr. Giles,

It was agreed that the further consideration thereof be postponed until Monday next.

On motion,

The Senate adjourned to 11 o'clock on Monday morning.

### MONDAY, DECEMBER 11, 1809.

Mr. Condit reported, from the committee, that they did, on Saturday last, lay before the President of the United States the enrolled bill, entitled "An act to authorize the transportation of certain documents free of postage."

Mr. Gilman, from the committee, reported the resolution relating to the official correspondence between the Secretary of State and Francis J. Jackson, minister plenipotentiary of his Britannic majesty; correctly engrossed; and the resolution was read the third time.

On the question, Shall this resolution pass?

It was determined in the affirmative,  $\left\{ \begin{array}{l} \text{Yeas . . . . . 20,} \\ \text{Nays . . . . . 4.} \end{array} \right.$

On motion, by Mr. Goodrich,

The yeas and nays having been required by one-fifth of the Senators present,

Those who voted in the affirmative, are,  
Messrs. Bradley, Brent, Condit, Crawford, Gaillard, German, Giles, Gilman, Gregg, Griswold, Lambert, Leib, Mathewson, Meigs, Parker, Pope, Reed, Smith, of Maryland, Sumter, and Turner.

Those who voted in the negative, are,  
Messrs. Goodrich, Hillhouse, Lloyd, and Pickering.

*Ordered*, That the Secretary request the concurrence of the House of Representatives in this resolution.

Mr. Leib, from the committee to whom was referred, on the 6th instant, the petition of Joseph Joshua Dyster, reported a bill to extend certain privileges therein mentioned to Joseph Joshua Dyster; and the bill was read.

*Ordered*, That it pass to the second reading.

Mr. Pope, from the committee to whom was referred the bill, entitled "An act supplemental to an act, entitled 'An act extending the right of suffrage in the Indiana territory, and for other purposes,'" reported the bill without amendment; and

On motion, by Mr. Bradley,

The bill was amended.

*Ordered*, That it pass to the third reading as amended.

Agreeably to notice given, Mr. Pope asked and obtained leave to bring in a bill in addition to the act to regulate the laying out and making a road from Cumberland, in the state of Maryland, to the state of Ohio; and the bill was read.

*Ordered*, That it pass to the second reading.

The bill to repeal the act, entitled "An act to suspend, for a limited time, the recruiting service," was read the second time.

On the question, Shall this bill be engrossed and read a third time?

It was determined in the affirmative.

The Senate resumed, as in committee, of the whole, the bill to prevent the abuse of the privileges and immunities enjoyed by foreign ministers within the United States; and no amendment having been offered,

On the question, Shall this bill be engrossed and read a third time?

It was determined in the affirmative.

Mr. Brent presented the petition from the committee of the board of trustees of the institution for the education of youth in the city of Washington, praying an act of incorporation for the establishment of a college therein; which was read.

On motion, by Mr. Brent,

*Resolved*, That it be referred to a select committee, to consider and report thereon, by bill or otherwise; and

*Ordered*, That Messrs. Brent, Goodrich, and Bradley, be the committee.

On motion,

The Senate adjourned to 11 o'clock to-morrow morning.

## TUESDAY, DECEMBER 12, 1809.

Mr. Gilman, from the committee, reported the amendment to the bill, entitled "An act supplemental to an act, entitled 'An act extending the right of suffrage in the Indiana territory, and for other purposes,'" correctly engrossed; also, the bill to prevent the abuse of the privileges and immunities enjoyed by foreign ministers within the United States; and the bill to repeal the act, entitled "An act to suspend, for a limited time, the recruiting service."

The President laid before the Senate a report of the Secretary of the Treasury, prepared in obedience to the directions of the act, entitled "An act regulating the currency of foreign coins in the United States," passed April 10th, 1806; which was read.

*Ordered*, That it lie for consideration.

The bill to extend certain privileges therein mentioned to Joseph Joshua Dyster was read the second time.

On the question, Shall this bill be engrossed and read a third time?

It was determined in the affirmative.

The bill in addition to the act to regulate the laying out and making a road from Cumberland, in the state of Maryland, to the state of Ohio, was read the second time.

On the question, Shall this bill be engrossed and read a third time?

It was determined in the affirmative.

A message from the House of Representatives, by Mr. Magruder, their Clerk:

*Mr. President*: The House of Representatives have passed a bill, entitled "An act extending the time for issuing and locating military land warrants;" in which they request the concurrence of the Senate. And he withdrew.

The bill last mentioned was read.

*Ordered*, That it pass to the second reading.

The bill, entitled "An act supplemental to an act, entitled 'An act extending the right of suffrage in the Indiana territory, and for other purposes,'" was read the third time as amended.

*Resolved*, That this bill pass as amended.

*Ordered*, That the Secretary request the concurrence of the House of Representatives in the amendment.

The bill to repeal the act, entitled "An act to suspend, for a limited time, the recruiting service," was read the third time.

On motion, by Mr. Bradley,

*Ordered*, That the further consideration thereof be postponed until the 1st day of August next.

The bill to prevent the abuse of the privileges and immunities enjoyed by foreign ministers, within the United States, was resumed.

On motion, by Mr. Smith, of Maryland,

It was agreed that the further consideration of this bill be postponed until to-morrow,

A message from the House of Representatives, by Mr. Magruder, their Clerk:

*Mr. President*: The House of Representatives concur in the amendment of the Senate to the bill entitled "An act supplemental to an act, entitled 'An act extending the right of suffrage in the Indiana territory, and for other purposes.'" And he withdrew.

After the consideration of the Executive business,

The Senate adjourned to 11 o'clock to-morrow morning.

### WEDNESDAY, DECEMBER 13, 1809.

Mr. Gilman, from the committee, reported that they had examined and found correctly engrossed the bill in addition to the "Act to regulate the laying out and making a road from Cumberland, in the state of Maryland, to the state of Ohio;" also, the bill to extend certain privileges therein mentioned to Joseph Joshua Dyster.

Mr. Condit, from the committee, reported that they had examined and found duly enrolled the bill, entitled "An act supplemental to an act, entitled 'An act extending the right of suffrage in the Indiana territory, and for other purposes.'"

The bill, entitled "An act extending the time for issuing and locating military land warrants," was read the second time.

*Ordered*, That it pass to the third reading,

Mr. Pope presented the petition of the inhabitants of the Mississippi territory east of Pearl river, stating that their remote situation renders it difficult, if not impracticable for them to participate in the benefits of the territorial government; and praying a division of the said territory, for reasons stated at large in the petition; which was read.

Mr. Meigs gave notice that to-morrow he should ask leave to bring in a bill to authorize the surveying and making of certain roads in the state of Ohio, as contemplated in the treaty of Brownstown, in the Michigan territory.

The bill in addition to the "Act to regulate the laying out and making a road from Cumberland, in the state of Maryland, to the state of Ohio," was read the third time.

*Resolved*, That this bill pass, and that the title thereof be "An act in addition to the act to regulate the laying out and making a road from Cumberland, in the state of Maryland, to the state of Ohio."

*Ordered*, That the Secretary request the concurrence of the House of Representatives in this bill.

The bill to extend certain privileges therein mentioned to Joseph Joshua Dyster, was read the third time.

*Resolved*, That this bill pass, and that the title thereof be "An act to extend certain privileges therein mentioned to Joseph Joshua Dyster."

*Ordered*, That the Secretary request the concurrence of the House of Representatives in this bill.

The bill to prevent the abuse of the privileges and immunities enjoyed by foreign ministers within the United States was read the third time.

On motion, by Mr. Pope,

It was agreed further to postpone the consideration thereof until to-morrow.

After the consideration of the Executive business,

The Senate adjourned to 11 o'clock to-morrow morning.

THURSDAY, DECEMBER 14, 1809.

The bill, entitled "An act extending the time for issuing and locating military land warrants," was read the third time.

*Resolved*, That this bill pass.

*Ordered*, That the Secretary acquaint the House of Representatives with the concurrence of the Senate in this bill.

A message from the House of Representatives, by Mr. Magruder, their Clerk:

*Mr. President*: The Speaker of the House of Representatives having signed an enrolled bill, I am directed to bring it to the Senate, for the signature of their President. And he withdrew.

The President signed the enrolled bill last reported to have been examined, and it was delivered to the committee, to be laid before the President of the United States.

The Senate resumed the bill to prevent the abuse of the privileges and immunities enjoyed by foreign ministers within the United States.

On motion, by Mr. Giles,

*Ordered*, That the bill be recommitted to the original committee, further to consider and report thereon.

Agreeably to notice given, Mr. Meigs asked and obtained leave to bring in a bill to authorize the surveying and making of certain roads in the state of Ohio, as contemplated in the treaty of Brownstown, in the Michigan territory; and the bill was read.

*Ordered*, That it pass to the second reading.

Mr. Leib submitted the following motion for consideration:

*Resolved*, That the President of the United States be requested to cause to be laid before the Senate a copy of the correspondence between him and the Governor of Pennsylvania, in the case of Gideon Olmstead.

Agreeably to notice given, Mr. Bradley asked and obtained leave to bring in a bill to incorporate religious societies in the District of Columbia; and the bill was read.

*Ordered*, That it pass to the second reading.

After the consideration of the Executive business,

The Senate adjourned to 11 o'clock to-morrow morning.

FRIDAY, DECEMBER 15, 1809.

Mr. Condit reported, from the committee, that they had examined and found duly enrolled the bill, entitled "An act extending the time for issuing and locating military land warrants;" and that they had this day laid before the President of the United States the enrolled bill, entitled "An act supplemental to an act, entitled 'An act extending the right of suffrage in the Indiana territory, and for other purposes.'"

The Senate resumed the consideration of the motion made yesterday on the subject; and

*Resolved*, That the President of the United States be requested to cause to be laid before the Senate a copy of the correspondence between him and the Governor of Pennsylvania, in the case of Gideon Olmstead.

*Ordered*, That the Secretary lay this resolution before the President of the United States.

The Senate resumed the consideration of the bill to incorporate religious societies in the District of Columbia; and

On motion, by Mr. Bradley,

It was agreed that the further consideration thereof be the order of the day for the first Monday in January next.

Mr. Smith, of Maryland, gave notice that on Monday he should ask leave to bring in a bill for the relief of Joseph Summerl, Simon Philipson, William Hamon, Archibald M'Call, and Isaac Clason.

The bill to authorize the surveying and making of certain roads in the state of Ohio, as contemplated by the treaty of Brownstown, in the territory of Michigan, was read the second time.

On motion, by Mr. Meigs,

*Resolved*, That it be referred to a select committee, to consider and report thereon; and

*Ordered*, That Messrs. Meigs, Bradley, and Pope, be the committee.

Mr. Bradley submitted the following motion for consideration:

*Resolved*, That the Secretary of the Treasury be, and hereby is, requested to lay before the Senate a statement of the payments which have been made by the respective states, of the direct tax; designating, as far as may be, what sums have been paid

into the Treasury; what sums are unaccounted for by the supervisors; what sums are in the hands of collectors; and the persons in whose hands such moneys are; and what sums are still due from any of the respective states.

On motion,

The Senate adjourned to 11 o'clock on Monday morning.

### MONDAY, DECEMBER 18, 1809.

The Honorable John Smith, from the state of New York, attended.

A message from the House of Representatives, by Mr. Magruder, their Clerk:

*Mr. President:* The Speaker of the House of Representatives having signed an enrolled bill, I am directed to bring it to the Senate for the signature of their President. The President of the United States did, on the 9th instant, approve and sign "An act to authorize the transportation of certain documents free of postage;" and, on the 15th, "An act supplemental to an act, entitled 'An act extending the right of suffrage to the Indiana territory, and for other purposes.'"

The House of Representatives have passed the bill, entitled "An act to revive an act, entitled 'An act for the relief of the refugees from the British provinces of Canada and Nova Scotia, and for other purposes;" in which they request the concurrence of the Senate. And he withdrew.

The bill last mentioned was read.

*Ordered,* That it pass to the second reading.

The President signed the enrolled bill last reported to have been examined and it was delivered to the committee, to be laid before the President of the United States.

Agreeably to notice given, Mr. Smith, of Maryland, asked and obtained leave to bring in a bill for the relief of Joseph Summerl, Simon Philipson, William Hamon, Archibald M'Call, and Isaac Clason; and the bill was read.

*Ordered,* That it pass to the second reading.

The Senate resumed the consideration of the motion, made on the 15th instant, respecting the direct tax; and

*Resolved,* That the Secretary of the Treasury be, and hereby is, requested to lay before the Senate a statement of the payments which have been made, by the respective states, of the direct tax; designating, as far as may be, what sums have been paid into the Treasury; what sums are unaccounted for by the supervisors; what sums are in the hands of collectors, and the persons in whose hands such moneys are; and what sums are still due from any of the respective states.

Mr. Giles, from the committee to whom was recommitted the bill to prevent the abuse of the privileges and immunities enjoyed by foreign ministers within the United States, reported amendments; which were read for consideration.

The President communicated a letter, of this date, from the Honorable Buckner Thruston, stating that he had, this day, by letter to his excellency the Governor of the state of Kentucky, resigned his seat in the Senate of the United States.

Whereupon, on motion, by Mr. Pope,

*Resolved,* That the President of the Senate notify the Executive of the state of Kentucky that the Honorable Buckner Thruston, late Senator of that state, has resigned his seat in the Senate of the United States.

On motion,

The Senate adjourned to 11 o'clock to-morrow morning.

### TUESDAY, DECEMBER 19, 1809.

The Vice President attended.

The following written message was received from the President of the United States, by Mr. Graham:

*To the Senate of the United States:*

Agreeably to the request in the resolution of the 15th instant, I transmit a copy of the correspondence with the Governor of Pennsylvania, in the case of Gideon Olmstead.

JAMES MADISON.

December 16, 1809.

The message and papers therein referred to were read.

On motion, by Mr. Leib,

*Ordered,* That they be printed for the use of the Senate.



sign "An act extending the time for issuing and locating military land warrants." And he withdrew.

The bill last brought up for concurrence was read; and  
*Ordered*, That it pass to the second reading.

On motion, by Mr. Pope,

The bill last mentioned was read a second time, by unanimous consent; and

On motion, by Mr. Pope,

*Resolved*, That this bill be referred to a select committee.

*Ordered*, That Messrs. Pope, Meigs, and Bradley, be the committee, to consider and report thereon.

The President communicated a letter from the Secretary of War, enclosing his report on the subject of fortifications.

On motion, by Mr. Smith, of Maryland,

The galleries were cleared, and the letter and report having been read,

*Ordered*, That they lie for consideration.

Mr. Gaillard presented the petition of a number of the inhabitants of the city of Washington, signed Daniel Carroll, of Duddington, and others, praying to be incorporated for the purpose of completing a road as far as the line of the District of Columbia, in the most direct route from the Capitol, by Montgomery court-house to Fredericktown, and also a road passing over the Washington bridge, in the proper direction to Staunton, in Virginia, for reasons stated in the petition; which was read.

On motion, by Mr. Gaillard,

*Resolved*, That it be referred to a select committee.

*Ordered*, That Messrs. Gaillard, Brent, and Bradley, be the committee, to consider and report thereon, by bill or otherwise.

Mr. Bradley gave notice that to-morrow he should ask leave to bring in a bill making further provision for the corps of engineers.

After the consideration of the Executive business,

The Senate adjourned to 11 o'clock to-morrow morning.

#### THURSDAY, DECEMBER 21, 1809.

The Honorable Joseph Anderson, from the state of Tennessee, attended.

Mr. Pope, from the committee to whom was referred the bill, entitled "An act for the relief of William and Elias Rector," reported the bill without amendment.

*Ordered*, That it pass to the third reading.

The President communicated the report of the Secretary of War, on the petition of Richard Bland Lee, made in obedience to the resolution of the Senate of the 21st of June last; which was read, and

*Ordered*, That it lie for consideration.

The Senate resumed the consideration of the bill for the relief of Joseph Summerl, Simon Philipson, William Hamon, Archibald M'Call, and Isaac Clason; and,

On motion, by Mr. Smith, of Maryland,

*Resolved*, That it be referred to a select committee; and

*Ordered*, That Messrs. Smith of Maryland, Lloyd, and Bradley, be the committee, to consider and report thereon.

On motion, by Mr. Giles,

*Resolved*, That a committee of three members of the Senate be appointed, who, with three members of the House of Representatives, to be appointed by the said House, shall have the application of the money appropriated by the "Act making a further appropriation for the support of a library," passed the 21st of February, 1806; and that the Secretary give information thereof to the House of Representatives; and

*Ordered*, That Messrs. Lloyd, Leib, and Smith, of Maryland, be the committee on the part of the Senate.

Agreeably to notice given, Mr. Bradley asked and obtained leave to bring in a bill making further provision for the corps of engineers;" and the bill was read.

*Ordered*, That it pass to the second reading.

After the consideration of the Executive business,

The Senate adjourned to 11 o'clock to-morrow morning.

#### FRIDAY, DECEMBER 22, 1809.

The bill, entitled "An act for the relief of William and Elias Rector," was read the third time.

*Resolved*, That this bill pass.

*Ordered*, That the Secretary acquaint the House of Representatives with the concurrence of the Senate in this bill.

On motion, by Mr. Leib,

*Resolved*, That a committee be appointed agreeable to the 42d rule for conducting business in the Senate; and

*Ordered*, That Messrs. Goodrich, Leib, and Condit, be the committee.

Mr. Meigs, from the committee to whom was referred the bill to authorize the surveying and making of certain roads in the state of Ohio, as contemplated by the treaty of Brownstown, in the territory of Michigan, reported amendments; which were read for consideration.

The bill making further provision for the corps of engineers was read a second time; and,

On motion, by Mr. Bradley,

It was agreed that the further consideration thereof be the order of the day for the first Thursday in January next.

The following written message was received from the President of the United States, by Mr. Graham:

*To the Senate and House of Representatives of the United States:*

I transmit to both Houses of Congress a report from the Surveyor of the Public Buildings, of the progress made on them during the last season, and of other explanations relative thereto.

JAMES MADISON.

December 16, 1809.

The message and report were read.

*Ordered*, That they lie for consideration.

After the consideration of the Executive business,

The Senate adjourned to 11 o'clock on Tuesday morning.

## TUESDAY, DECEMBER 26, 1809.

The Honorable Jesse Franklin, from the state of North Carolina, attended.

Mr. Bradley submitted the following motion for consideration:

*Resolved*, That the President of the United States be, and hereby is, requested to cause to be laid before the Senate the amount of all the moneys disbursed from the Treasury of the United States, in their relation or intercourse with the Barbary powers, subsequent to the signing of the treaty of peace with Tripoli, in June, 1805, including the moneys paid to that Regency at the signing thereof: And to cause to be noted, (where the same can be ascertained) the agent or consul to whom the respective disbursements were made, the time when, and place where, the respective sums were drawn for or received by said agents or consuls, and the particular purposes to which the same have been applied; and what sums have been retained in the hands of said agents or consuls, for compensation, salary, commissions, or for any other purpose.

The Senate resumed, as in committee of the whole, the consideration of the amendments reported by the select committee, to whom was referred the bill to authorize the surveying and making of certain roads in the state of Ohio, as contemplated by the treaty of Brownstown, in the territory of Michigan; and having agreed to the report, the President reported the bill to the House amended accordingly.

On the question, Shall this bill be engrossed and read a third time as amended?

It was determined in the affirmative.

After the consideration of the Executive business,

The Senate adjourned to 11 o'clock to-morrow morning.

## WEDNESDAY, DECEMBER 27, 1809.

Mr. Gilman, from the committee, reported that they had examined and found correctly engrossed the bill to authorize the surveying and making of certain roads in the state of Ohio, as contemplated by the treaty of Brownstown, in the territory of Michigan; and the bill was read the third time.

*Resolved*, That this bill pass, and that the title thereof be "An act to authorize the surveying and making of certain roads in the state of Ohio, as contemplated by the treaty of Brownstown, in the territory of Michigan."

*Ordered*, That the Secretary request the concurrence of the House of Representatives in this bill.

Mr. Condit, from the committee, reported that they had examined and found duly enrolled the bill, entitled "An act for the relief of William and Elias Rector."

The Senate resumed the consideration of the motion made yesterday on the subject; and,

*Resolved*, That the President of the United States be, and hereby is, requested to cause to be laid before the Senate the amount of all the moneys disbursed from the Treasury of the United States, in their relation or intercourse with the Barbary powers, subsequent to the signing of the treaty of peace with Tripoli in June, 1805, including the moneys paid to that Regency at the signing thereof: And to cause to be noted (where the same can be ascertained) the agent or consul to whom the respective disbursements were made, the time when, and place where, the respective sums were drawn for or received by said agents or consuls, and the particular purposes to which the same have been applied; and what sums have been retained in the hands of said agents or consuls, for compensation, salary, commissions, or for any other purpose.

*Ordered*, That the Secretary lay this resolution before the President of the United States.

A message from the House of Representatives, by Mr. Magruder, their Clerk:

*Mr. President*: The House of Representatives concur in the resolution of the Senate, for the appointment of a joint committee on the arrangements for the library, and have appointed a committee on their part. The Speaker of the House of Representatives having signed an enrolled bill, I am directed to bring it to the Senate, for the signature of their President. And he withdrew.

The President signed the enrolled bill last reported to have been examined, and it was delivered to the committee, to be laid before the President of the United States.

After the consideration of the Executive business,

The Senate adjourned to 11 o'clock to-morrow morning.

#### THURSDAY, DECEMBER 28, 1809.

The Honorable Charles Tait, appointed a Senator by the legislature of the state of Georgia, in the place of the Honorable John Milledge, resigned, produced his credentials; which were read, and, the oath prescribed by law having been administered to him, he took his seat in the Senate.

The President communicated a report of the Secretary of the Treasury, made in obedience to the resolution of the Senate of the 18th instant, respecting the direct tax; which was read.

*Ordered*, That it lie for consideration.

Mr. Condit, from the committee, reported, that they had this day laid before the President of the United States the enrolled bill, entitled "An act for the relief of William and Elias Rector."

Mr. Pope gave notice that on to-morrow he should ask leave to bring in a bill concerning canals and roads in the United States.

After the consideration of the Executive business,

The Senate adjourned to 11 o'clock to-morrow morning.

#### FRIDAY, DECEMBER 29, 1809.

Mr. Bradley, from the committee to whom was referred the letter from the Surveyor of the Public Buildings, of the 28th of November last, reported the following resolution:

*Resolved*, That, from and after the first day of January next, the Senate will hold their session in the new Senate chamber lately provided in the north wing of the Capitol.

On motion, by Mr. Anderson,

It was agreed that the consideration of the report be postponed to Tuesday next.

After the consideration of the Executive business,

The Senate adjourned to 11 o'clock on Tuesday morning.

#### TUESDAY, JANUARY 2, 1810.

The Honorable James A. Bayard, from the state of Delaware, attended.

The President communicated the report of the Secretary of War, made in obedience to the first section of the act, "further to amend the several acts for the establishment of the Treasury, War, and Navy Departments," passed the third day of March, 1809, which was read; and

*Ordered*, That it lie for consideration.

Agreeably to the order of the day, the Senate resumed, as in committee of the whole, the bill to incorporate religious societies in the District of Columbia.

On the question, Shall this bill be engrossed and read the third time?

It was determined in the affirmative.

Mr. Meigs presented the petition of Daniel Boone, an inhabitant of the territory of Louisiana, stating that he has spent a long life in exploring the wilds of North America; and that he hath, by his own personal exertions, been greatly instrumental in opening the road to civilization in the immense territories now attached to the United States, and in some instances matured into independent states; and praying a grant of some reasonable portion of land, within the territory of Louisiana, as a compensation for his services; and the petition was read.

After the consideration of the Executive business,

The Senate adjourned to 11 o'clock to-morrow morning.

### WEDNESDAY, JANUARY 3, 1810.

Mr. Smith, of Maryland, presented the petition of the President and Directors of the Union Bank of Georgetown, praying a charter of incorporation, for reasons stated at large in the petition; which was read.

*Ordered*, That it be referred to Messrs. Brent, Gregg, Pope, Smith, of New York, and Bradley, the committee to whom was referred, on the 19th December last, a similar petition of the directors of the Bank of Washington, to consider and report thereon by bill or otherwise.

The following written message was received from the President of the United States, by Mr. Graham:

*To the Senate and House of Representatives of the United States:*

The act authorizing a detachment of one hundred thousand men from the militia will expire on the 30th of March next. Its early revival is recommended, in order that timely steps may be taken for arrangements such as the act contemplated.

Without interfering with the modifications rendered necessary by the defects or the inefficacy of the laws restrictive of commerce and navigation, or with the policy of disallowing to foreign armed vessels the use of our waters, it falls within my duty to recommend also, that, in addition to the precautionary measure authorized by that act, and to the regular troops, for completing the legal establishment of which enlistments are renewed, every necessary provision may be made for a volunteer force of twenty thousand men, to be enlisted for a short period, and held in a state of organization and readiness for actual service at the shortest warning.

I submit to the consideration of Congress, moreover, the expediency of such a classification and organization of the militia, as will best ensure prompt and successive aids from that source adequate to emergencies which may call for them.

It will rest with them, also, to determine how far further provision may be expedient for putting into actual service, if necessary, any part of the naval armament not now employed.

At a period presenting features in the conduct of foreign powers towards the United States, which impose on them the necessity of precautionary measures involving expense, it is a happy consideration that such is the solid state of the public credit that reliance may be justly placed on any legal provision that may be made for resorting to it in a convenient form and to an adequate amount.

JAMES MADISON.

January 3, 1810.

The message was read.

On motion, by Mr. Gregg,

*Ordered*, That it be referred to Messrs. Giles, Pope, Bradley, Goodrich, Leib, Sumter, and Gilman, the committee to whom was referred, on the 1st December last, so much of the message of the President of the United States as respects the relations existing between the United States and Great Britain and France, to consider and report thereon by bill or otherwise.

Mr. Gilman, from the committee, reported that they had examined and found correctly engrossed the bill to incorporate religious societies in the District of Columbia; and the bill was read the third time.

On motion, by Mr. Gilman,

It was agreed, by unanimous consent, to amend the bill, after the proviso in the 6th section, and to strike out the words, "in this act;" and,

On motion, by Mr. Giles,

It was agreed that the further consideration of this bill be postponed to the first Monday in February next.

On motion, by Mr. Meigs,

*Resolved*, That the petition of Daniel Boone, presented yesterday, be referred to a select committee; and,

*Ordered*, That Messrs. Meigs, Anderson, and Pope, be the committee, to consider and report thereon by bill or otherwise,

After the consideration of the Executive business,

The Senate adjourned to 11 o'clock to-morrow morning.

#### THURSDAY, JANUARY 4, 1810.

The Honorable Jenkin Whiteside, from the state of Tennessee, attended.

The Senate resumed, as in committee of the whole, the bill making further provision for the corps of engineers; and

On motion, by Mr. German,

It was agreed, that the further consideration thereof be postponed to the last Tuesday of January instant.

On motion, by Mr. Pickering,

The following resolution having been amended, was agreed to:

*Resolved*, That the Secretary of War be directed to lay before the Senate a return of the corps of engineers and cadets belonging to the military academy.

The President communicated the report of the Secretary of War on the expenditures of the moneys appropriated for the contingent expenses of the military establishment for the year 1809, in conformity to the 5th section of the act of the 3d March, 1809, further to amend the several acts for the establishment of the Treasury, War, and Navy Departments; which was read for consideration.

The President also communicated the report of the Secretary of the Navy on the expenditures and application of the moneys drawn from the Treasury from the 4th of March, to the 30th of September, 1809, inclusive; made in obedience to the first section of the same act; which was read for consideration.

The Senate resumed the report of the committee to whom was referred the letter from the Surveyor of the Public Buildings, of the 28th November last; and

On motion, by Mr. Smith, of Maryland,

It was agreed further to postpone the consideration thereof until Monday next.

After the consideration of the Executive business,

The Senate adjourned to 11 o'clock to-morrow morning.

#### FRIDAY, JANUARY 5, 1810.

Agreeably to notice given, Mr. Pope asked and obtained leave to bring in a bill for the improvement of the United States by public roads and canals; which was read.

*Ordered*, That it pass to the second reading.

On motion, by Mr. Gregg,

It was agreed that a committee be appointed for enrolled bills on the part of the Senate, in the place of Mr. Condit, indisposed; and

*Ordered*, That Mr. Whiteside be the committee.

*Ordered*, That the Secretary notify the House of Representatives accordingly.

A message from the House of Representatives, by Mr. Magruder, their Clerk:

*Mr. President*: The House of Representatives concur in the resolution on the official correspondence between the Secretary of State and Francis J. Jackson, minister plenipotentiary of his Britannic Majesty. And he withdrew.

On motion, by Mr. Bayard,

*Resolved*, That the reports of the Attorney General of the United States, made to the Senate, in pursuance of their order of the 6th February, 1807, be referred to a select committee, and that the said committee have power to report by bill or otherwise.

*Ordered*, That Messrs. Bayard, Crawford, and Hillhouse, be the committee.

Mr. Giles submitted the following motion for consideration:

*Resolved*, The House of Representatives concurring therein, That a joint committee be appointed, to present to the President of the United States the joint "Resolution of the two Houses respecting the conduct of Francis J. Jackson, his Britannic Majesty's minister plenipotentiary near the United States;" and that the committee on the part of the Senate consist of — members.

After the consideration of the Executive business,

The Senate adjourned to 11 o'clock on Monday morning.

MONDAY, JANUARY 8, 1810.

On motion, by Mr. Meigs,

*Resolved*, That a committee be appointed to inquire into the expediency of establishing by law a Land Department of the United States, and that they have leave to report by bill or otherwise; and

*Ordered*, That Messrs. Meigs, Gregg, Anderson, Crawford, and Pope, be the committee.

On request, by Mr. Giles,

It was agreed that he have leave to withdraw his motion, made on the 5th instant, for the appointment of a joint committee.

The President communicated a letter from the Secretary of War, in obedience to a resolution of the Senate of the 4th instant, enclosing a return of the corps of engineers and cadets belonging to the military academy; and the letter and return were read.

*Ordered*, That they lie for consideration.

The bill for the improvement of the United States by public roads and canals, was read the second time.

On motion, by Mr. Anderson,

*Resolved*, That it be referred to a select committee, to consider and report thereon; and

*Ordered*, That Messrs. Pope, Bayard, Anderson, Crawford, and Hillhouse, be the committee.

On motion, by Mr. Pope,

*Ordered*, That the report of the Secretary of the Treasury on the subject of public roads and canals, made in pursuance of the resolution of the Senate of March 2, 1807, be referred to the same committee.

The Senate resumed the report of the committee to whom was referred the letter from the Surveyor of the Public Buildings of the 28th of November last; and

On motion, by Mr. Bradley,

It was agreed further to postpone the consideration thereof to the first Monday in February next.

After the consideration of the Executive business,

The Senate adjourned to 11 o'clock to-morrow morning.

TUESDAY, JANUARY 9, 1810.

Mr. Gaillard, from the committee to whom was referred, on the 20th December last, the petition of a number of the inhabitants of the city of Washington, praying to be incorporated, for the purpose of completing certain roads in the District of Columbia, reported a bill to incorporate a company for making certain turnpike roads in the District of Columbia; which was read.

*Ordered*, That it pass to the second reading.

A message from the House of Representatives, by Mr. Magruder, their Clerk:

*Mr. President*: The House of Representatives have passed a bill, entitled "An act to revive and continue in force, for a further time, the first section of the act, entitled 'An act further to protect the commerce and seamen of the United States against the Barbary powers;' in which they desire the concurrence of the Senate. And he withdrew.

The bill last brought up for concurrence was read; and

*Ordered*, That it pass to the second reading.

Mr. Whiteside, from the committee, reported that they had examined and found duly enrolled the joint "Resolution of the two Houses on the official correspondence between the Secretary of State and Francis J. Jackson, minister plenipotentiary of his Britannic Majesty near the United States."

On motion,

The Senate adjourned to 11 o'clock to-morrow morning.

WEDNESDAY, JANUARY 10, 1810.

The bill, entitled "An act to revive and continue in force, for a further time, the first section of the act, entitled 'An act further to protect the commerce and seamen of the United States against the Barbary powers,'" was read the second time; and

On motion, by Mr. Smith, of Maryland,

The bill was read the third time by unanimous consent.

*Resolved*, That this bill pass.

*Ordered*, That the Secretary acquaint the House of Representatives with the concurrence of the Senate in this bill.

A message from the House of Representatives, by Mr. Magruder, their Clerk:

*Mr. President*: The Speaker of the House of Representatives having signed a joint resolution of the two Houses, I am directed to bring it to the Senate for the signature of their President. And he withdrew.

The President signed the resolution last reported to have been examined, and it was delivered to the committee, to be laid before the President of the United States.

Mr. Giles, from the committee to whom was referred the message of the President of the United States of the third instant, reported, in part, a bill authorizing the fitting out, officering, and manning, the frigates belonging to the United States; which was read; and

*Ordered*, That it pass to the second reading.

Mr. Meigs, from the committee to whom was referred, on the 3d instant, the petition of Daniel Boon, reported a bill for the relief of Daniel Boon; which was read.

*Ordered*, That it pass to the second reading.

The following written message was received from the President of the United States, by Mr. Graham:

*To the Senate and House of Representatives of the United States*:

The Director of the Mint having made to me his report of the operations of the mint for the year 1809, I lay the same before you for your information.

JAMES MADISON.

January 5, 1810.

The message and communications were read.

*Ordered*, That they lie for consideration.

The bill to incorporate a company for making certain turnpike roads in the District of Columbia was resumed; and,

On motion, by Mr. Bradley,

It was agreed that the consideration thereof be postponed until to-morrow.

After the consideration of the Executive business,

The Senate adjourned to 11 o'clock to-morrow morning.

THURSDAY, JANUARY 11, 1810.

The bill for the relief of Daniel Boon was read the second time.

On motion, by Mr. Bradley,

*Resolved*, That the bill, together with the petition of Daniel Boon, be re-committed to a select committee, to consider and report a state of facts thereon.

*Ordered*, That Messrs. Anderson, Meigs, and Pope, be the committee.

The bill authorizing the fitting out, officering, and manning, the frigates belonging to the United States, was read the second time.

On the question, Shall this bill be engrossed and read the third time?

It was determined in the affirmative.

The bill to incorporate a company for the purpose of making certain turnpike roads in the District of Columbia was read the second time, and considered as in committee of the whole; and, after progress,

On motion, by Mr. Smith, of Maryland,

It was agreed that the further consideration thereof be postponed until to-morrow.

Mr. Bradley gave notice that to-morrow he should ask leave to bring in a bill to augment the compensation to the judges of the circuit court of the District of Columbia.

Mr. Meigs presented the resolution of the Legislature of the state of Ohio, instructing their representation in Congress to use their endeavors to procure an extension of the time of payments for public lands in certain cases; which was read.

Whereupon,

Mr. Meigs submitted the following motion for consideration:

*Resolved*, That a committee be appointed to inquire into the expediency of extending by law the times of payment for public lands in certain cases.

After the consideration of the Executive business,

The Senate adjourned to 11 o'clock to-morrow morning.

FRIDAY, JANUARY 12, 1810.

The Honorable Alexander Campbell, appointed a Senator by the legislature of the state of Ohio, in place of the Honorable Edward Tiffin, resigned; and the Honorable Christopher Grant Champlin, appointed a Senator by the legislature of the state of Rhode Island, in place of the Honorable Francis Malbone, deceased, severally produced their credentials, which were read; and, the oath prescribed by law having been administered to them, they took their seats in the Senate.

Mr. Gilman, from the committee, reported that they had examined and found correctly engrossed, the bill authorizing the fitting out, officering, and manning, the frigates belonging to the United States; and the bill was read the third time; and,

On motion, by Mr. Giles,

It was agreed that the further consideration thereof be postponed until Monday next.

Mr. Whiteside, from the committee, reported that they yesterday laid before the President of the United States the enrolled "resolution of the two houses on the official correspondence between the Secretary of State and Francis J. Jackson, minister plenipotentiary of his Britannic Majesty near the United States;" and that they had examined and found duly enrolled the bill, entitled "An act to revive, and continue in force for a further time, the first section of the act, entitled 'An act further to protect the commerce and seamen of the United States against the Barbary powers.'"

The Senate resumed the consideration of the motion made yesterday, on the subject of public lands; and,

*Resolved*, That a committee be appointed to inquire into the expediency of extending by law the times of payment for public lands in certain cases; and

*Ordered*, That Messrs. Meigs, Gregg, and Franklin, be the committee.

On motion, by Mr. Meigs,

*Ordered*, That the resolution of the legislature of the state of Ohio, yesterday communicated to the Senate, be referred to the same committee.

A message from the House of Representatives, by Mr. Magruder, their Clerk:

*Mr. President*: The Speaker of the House of Representatives having signed an enrolled bill, I am directed to bring it to the Senate for the signature of their President. And he withdrew.

The President signed the enrolled bill last reported to have been examined, and it was delivered to the committee, to be laid before the President of the United States.

The Senate resumed, as in committee of the whole, the bill to incorporate a company for making certain turnpike roads in the District of Columbia.

On motion, by Mr. Anderson,

It was agreed further to postpone the consideration thereof to Tuesday next.

Agreeably to notice, Mr. Bradley asked and obtained leave to bring in a bill to augment the compensation to the judges of the circuit court of the District of Columbia; and the bill was read.

*Ordered*, That it pass to the second reading.

On motion, by Mr. Gilman,

*Ordered*, That Mr. Campbell be on the committee, agreeably to the twenty-second rule for conducting business in the Senate, in place of Mr. Griswold.

Mr. Meigs, from the committee to whom was recommitted the petition of Daniel Boon, together with the bill for his relief, made report; which was read; and

*Ordered*, That it lie for consideration.

After the consideration of the Executive business,

The Senate adjourned to 11 o'clock on Monday morning.

MONDAY, JANUARY 15, 1810.

The Senate resumed the third reading of the bill authorizing the fitting out, officering, and manning, the frigates belonging to the United States; and,

On motion, by Mr. Giles,

It was agreed that the bill be re-committed to the original committee, further to consider and report thereon.

Mr. Whiteside, from the committee, reported that they did, on the 12th instant, lay before the President of the United States the enrolled bill, entitled "An act to revive, and continue in force for a further time, the first section of the act, entitled 'An act further to protect the commerce and seamen of the United States against the Barbary powers.'"

The Senate resumed, as in committee of the whole, the bill for the relief of Daniel Boon; and

On motion, by Mr. Bradley,

It was agreed that the further consideration thereof be postponed to Thursday next.

A message from the House of Representatives, by Mr. Magruder, their Clerk:

*Mr. President:* The President of the United States, on the 12th instant, approved and signed "An act to revive, and continue in force for a further time, the first section of the act, entitled 'An act further to protect the commerce and seamen of the United States against the Barbary powers.'" And he withdrew.

On motion,

The Senate adjourned to 11 o'clock to-morrow morning.

### TUESDAY, JANUARY 16, 1810.

Mr. Bradley, from the committee to whom was referred the message of the President of the United States, of the 3d instant, reported, in part, a bill to engage a corps of volunteers, for a short period, in the service of the United States; which was read; and

*Ordered,* that it pass to the second reading.

A message from the President of the United States, by Mr. Graham:

*Mr. President:* The President of the United States, on the 12th instant, approved and signed the enrolled "resolution on the official correspondence between the Secretary of State and Francis J. Jackson, minister plenipotentiary of his Britannic majesty near the United States."

*Ordered,* That the Secretary notify the House of Representatives accordingly.

The Senate resumed, as in committee of the whole, the second reading of the bill to incorporate a company for making certain turnpike roads in the District of Columbia; and, after progress,

On motion, by Mr. Smith, of Maryland,

*Ordered,* That the further consideration thereof be postponed until to-morrow.

Mr. Giles, from the committee to whom was recommitted the bill authorizing the fitting out, officering, and manning, the frigates belonging to the United States, reported it with an amendment; which was read.

After the consideration of the Executive business,

The Senate adjourned to 11 o'clock to-morrow morning.

### WEDNESDAY, JANUARY 17, 1810.

The President communicated the report of the Secretary of War, in compliance with the 5th section of the "Act to regulate and fix the compensation of clerks, and to authorize the laying out certain public roads, and for other purposes;" and the report was read.

*Ordered,* That it lie for consideration.

The Senate resumed, as in committee of the whole, the second reading of the bill to incorporate a company for making certain turnpike roads in the District of Columbia; and,

On motion, by Mr. Smith, of Maryland,

*Resolved,* That the bill be recommitted to a select committee, to consider and report thereon; and

*Ordered,* That Messrs. Smith, of Maryland, Brent, Goodrich, Bradley, and Gaillard, be the committee.

The Senate resumed, as in committee of the whole, the bill authorizing the fitting out, officering, and manning, the frigates belonging to the United States, together with the amendment yesterday reported thereon; and the President having reported the bill to the House amended,

On the question, Shall this bill be engrossed and read a third time as amended?

It was determined in the affirmative.

The bill to engage a corps of volunteers for a short period in the service of the United States was read the second time; and

On motion, by Mr. Bradley,

It was agreed that the further consideration thereof be the order of the day for Monday next.

After the consideration of the Executive business,

The Senate adjourned to 11 o'clock to-morrow morning.

THURSDAY, JANUARY 18, 1810.

Mr. Gilman, from the committee, reported that they had examined and found correctly engrossed the bill authorizing the fitting out, officering, and manning, the frigates belonging to the United States; and the bill was read the third time; and the blanks having been filled, as follows:

The 1st. with the word "four."

2d. With the word "four."

3d. With the word "fourteen."

4th. With the words "two years."

5th. With the words "six hundred thousand dollars;" and,

On motion, by Mr. Crawford,

It was agreed that the question on the final passage of the bill be postponed until to-morrow.

The bill to augment the compensation to the judges of the circuit court of the District of Columbia was read the second time; and

On motion, by Mr. Bradley,

It was agreed that the consideration thereof be the order of the day for Tuesday next.

The Senate resumed, as in committee of the whole, the bill for the relief of Daniel Boon; and

On motion, by Mr. Bradley,

*Ordered*, That the further consideration thereof be postponed to the first Monday in December next.

Mr. Reed submitted the following resolution for an amendment of the constitution; which was read for consideration:

*"Resolved, by the Senate and House of Representatives of the United States of America in Congress assembled, two-thirds of both Houses concurring, That the following section be submitted to the legislatures of the several states, which, when ratified by the legislatures of three-fourths of the states, shall be valid and binding, as a part of the constitution of the United States:*

*"If any citizen of the United States shall accept of any title of nobility, from any king, prince, or foreign state, such citizen shall thenceforth be incapable of holding any office of honor or profit under the United States."*

Mr. Pope, from the committee to whom was referred, on the 8th instant, the bill for the improvement of the United States by public roads and canals, reported the bill amended; and the bill was read accordingly.

A message from the House of Representatives, by Mr. Magruder, their Clerk:

*Mr. President:* The House of Representatives have passed a bill, entitled "An act for the relief of Harry Caldwell and Amasa Jackson, Jeremiah Reynolds and Levi Jones;" also, a bill, entitled "An act for the relief of John N. Stout;" and a bill, entitled "An act to authorize the removal of slaves from one part of the District of Columbia to another;" in which several bills they request the concurrence of the Senate. And he withdrew.

The bills last mentioned were read.

*Ordered*, That they severally pass to the second reading.

On motion,

The Senate adjourned to 11 o'clock to-morrow morning.

FRIDAY, JANUARY 19, 1810.

The bill, entitled "An act for the relief of Harry Caldwell and Amasa Jackson, Jeremiah Reynolds and Levin Jones," was read the second time; and

On motion, by Mr. Smith, of Maryland,

*Resolved*, That it be referred to a select committee, to consider and report thereon.

*Ordered*, That Messrs. Smith, of Maryland, Pope, and Bradley, be the committee.

Mr. Smith, of Maryland, presented the petition of Levin Jones, of the city of Baltimore, stating that he is owner and master of the schooner Wolf, which vessel was seized some time in October last at Norfolk, in Virginia, for having brought certain French slaves to that place without previously complying with the requisites enjoined by law, and praying relief; and the petition was read.

*Ordered*, That it be referred to the committee last mentioned.

The bill, entitled "An act for the relief of John N. Stout," was read the second time; and,

On motion, by Mr. Pope,

*Resolved*, That it be referred to a select committee, to consider and report thereon.

*Ordered*, That Messrs. Pope, Goodrich, and Franklin, be the committee.

The bill, entitled "An act to authorize the removal of slaves from one part of the District of Columbia to another," was read the second time; and,

On motion, by Mr. Giles,

*Resolved*, That it be referred to a select committee, to consider and report thereon; and

*Ordered*, That Messrs. Giles, Reed, and Bradley, be the committee.

The Senate resumed the bill authorizing the fitting out, officering, and manning, the frigates belonging to the United States; and,

On motion, by Mr. Campbell,

*Ordered*, That the consideration thereof be postponed until Monday next; and

*Ordered*, That the letters from the committee to the Secretary of the Navy on this subject, together with his replies thereto, be printed for the use of the Senate.

The Senate resumed the motion submitted yesterday for an amendment to the constitution of the United States; and,

On motion, by Mr. Reed,

It was agreed that the consideration thereof be the order of the day for Wednesday next.

The Senate resumed, as in committee of the whole, the bill authorizing a subscription on behalf of the United States to the capital stock of the Chesapeake and Delaware and Ohio Canal Companies, as amended; and,

On motion, by Mr. Lloyd,

It was agreed that the further consideration thereof be postponed to the first Monday in February next.

After the consideration of the Executive business,

The Senate adjourned to 11 o'clock on Monday morning.

#### MONDAY, JANUARY 22, 1810.

The Senate resumed, as in committee of the whole, the bill to engage a corps of volunteers for a short period in the service of the United States; and, after progress,

On motion, by Mr. Smith, of Maryland,

It was agreed that the further consideration thereof be postponed until to-morrow.

The following written message was received from the President of the United States, by Mr. Graham:

*To the Senate and House of Representatives of the United States:*

I now transmit to Congress an account of the contingent expenses of the government for the year 1809.

JAMES MADISON.

January 22, 1810.

The message and account were read; and

*Ordered*, That they lie for consideration.

The following written message was also received from the President of the United States, by Mr. Graham:

*To the Senate of the United States:*

I transmit to the Senate a report of the Secretary of the Treasury, complying with their resolution of the 27th of December, on the subject of disbursements in the intercourse with the Barbary powers.

JAMES MADISON.

January 22, 1810.

The message and report were read.

On motion, by Mr. Anderson,

*Ordered*, That the message and report be printed for the use of the Senate.

Mr. Anderson presented the petition of the clerks in the Treasury Department, stating that the provision made by law for clerk-hire in that department is less in proportion than that made for other accounting officers, praying an investigation into their duties, and to be placed in situations equally eligible with those of the gentlemen belonging to the other departments; and the petition was read.

On motion, by Mr. Anderson,

*Resolved*, That it be referred to a select committee, to consider and report thereon.

*Ordered*, That Messrs. Anderson, Gregg, and Brent, be the committee.

After the consideration of the Executive business,

The Senate adjourned to 11 o'clock to-morrow morning.

**TUESDAY, JANUARY 23, 1810.**

The Senate resumed the third reading of the bill authorizing the fitting out, officer-  
ing, and manning, the frigates belonging to the United States.

On motion, by Mr. Bradley,

On motion, by Mr. Bradley,  
To postpone the consideration of the bill to Monday next,

The Senate was divided, 13 in the affirmative and 13 in the negative, and the President determined the question in the negative.

On motion, by Mr. Anderson,

On motion, by Mr. Anderson,  
To postpone the consideration of the bill to the second Monday in February next,

To postpone the consideration of the bill to the second Monday,  
It was determined in the negative, { Yeas . . . . . 13,  
{ Nays . . . . . 18.

On motion, by Mr. Anderson,

On motion, by Mr. Anderson,  
The yeas and nays having been required by one-fifth of the Senators present,

Those who voted in the affirmative, are,

Those who voted in the affirmative, are,  
Messrs. Anderson, Bradley, Campbell, Condit, Crawford, Franklin, Gregg, Lam-  
bert, Meigs, Robinson, Sumter, Turner, and Whiteside.

Those who voted in the negative, are,

Those who voted in the negative, are,  
Messrs. Bayard, Brent, Champlin, Gaillard, German, Giles, Gilman, Goodrich, Hill-  
house, Leib, Lloyd, Parker, Pickering, Pope, Reed, Smith, of Maryland, Smith, of  
New York, and Tait.

On the question, Shall this bill pass?

On the question, Shall this bill pass:  
It was determined in the affirmative,

{ Yeas . . . . .	25,
{ Nays . . . . .	6.

On motion, by Mr. Hillhouse,

On motion, by Mr. Hillhouse,  
The yeas and nays having been required by one-fifth of the Senators present,

Those who voted in the affirmative, are,

Those who voted in the affirmative, are,  
Messrs. Bayard, Bradley, Brent, Champlin, Franklin, Gaillard, German, Giles, Gil-  
man, Goodrich, Gregg, Hillhouse, Leib, Lloyd, Meigs, Parker, Pickering, Pope, Reed,  
Robinson, Smith, of Maryland, Smith, of New York, Sumter, Tait, and Whiteside.

Those who voted in the negative, are,

Messrs. Anderson, Campbell, Condit, Crawford, Lambert, and Turner:

So it was

So it was  
*Resolved*, That this bill pass, and that the title thereof be "An act authorizing the fitting out, officering, and manning, the frigates belonging to the United States."

*Ordered*, That the Secretary request the concurrence of the House of Representatives in this bill.

**On motion,**

The Senate adjourned to 11 o'clock to-morrow morning.

WEDNESDAY, JANUARY 24, 1810.

The President communicated a letter signed James Sykes, Speaker of the Senate of the state of Delaware, enclosing a certificate of the appointment of the Honorable Outerbridge Horsey, a Senator of the United States, in the place of the Honorable Samuel White, deceased; and the certificate was read.

**Ordered, That it lie on file.**

The Senate resumed, as in committee of the whole, the bill to augment the compensation to the judges of the circuit court of the District of Columbia; and, after debate,

On motion, by Mr. Pope,

On motion, by Mr. Pope,  
*Resolved*, That the further consideration thereof be postponed to the first Monday in December next.

The Senate resumed the motion submitted on the 18th instant, for an amendment to the constitution; and

On motion, by Mr. Leib,

On motion, by Mr. Leib,  
*Resolved*, That it be referred to a select committee, to consider and report thereon;  
 and,

*Ordered*, That Messrs. Reed, Leib, and Crawford, be the committee.

On motion,

On motion,  
The Senate adjourned to 11 o'clock to-morrow morning.

THURSDAY, JANUARY 25, 1810.

The President communicated a report from the Secretary of the Treasury on the moneys expended during the year 1809, for the discharge of miscellaneous claims not

otherwise provided for, and paid at the Treasury; also, a statement of all the contracts made during the same year, by, or under the direction of, the Secretary of the Treasury; together with a copy of the contract made, with the approbation of the Secretary of the Treasury, by the collector for the port of Boston and Charlestown, for building a custom-house in that port; which were read.

*Ordered*, That they lie for consideration.

The Senate resumed, as in committee of the whole, the bill to engage a corps of volunteers for a short period in the service of the United States; and,

On motion, by Mr. Leib,

It was agreed that the further consideration thereof be postponed until Monday next.

On motion,

The Senate adjourned to 11 o'clock to-morrow morning.

#### FRIDAY, JANUARY 26, 1810.

Mr. Smith, of Maryland, from the committee to whom was referred the bill, entitled "An act for the relief of Harry Caldwell and Amasa Jackson, Jeremiah Reynolds and Levin Jones," reported it without amendment; and the bill was considered as in committee of the whole, and amended; and the President having reported it to the House accordingly,

*Ordered*, That this bill pass to the third reading as amended.

Mr. Meigs, from the committee to whom the subject was referred, reported a bill granting the right of pre-emption to purchasers of public lands in certain cases; and the bill was read.

*Ordered*, That it pass to the second reading.

On motion,

The Senate adjourned to 11 o'clock on Monday morning.

#### MONDAY, JANUARY 29, 1810.

The Honorable Outerbridge Horsey, appointed a Senator by the legislature of the state of Delaware, in the place of the Honorable Samuel White, deceased, attended, and the oath prescribed by law was administered to him, and he took his seat in the Senate.

Mr. Gilman, from the committee, reported the amendment to the bill, entitled "An act for the relief of Harry Caldwell and Amasa Jackson, Jeremiah Reynolds and Levin Jones," correctly engrossed; and

The bill was read the third time as amended.

*Resolved*, That this bill pass with an amendment.

*Ordered*, That the Secretary request the concurrence of the House of Representatives in the amendment.

The bill granting a right of pre-emption to purchasers of public lands, in certain cases, was read the second time.

Agreeably to the order of the day, the Senate resumed, as in committee of the whole, the bill to engage a corps of volunteers, for a short period, in the service of the United States; and

On motion, by Mr. Bradley,

It was agreed that the consideration thereof be further postponed.

Mr. Campbell presented the petition of a number of the inhabitants of the state of Ohio, signed John Short and others, praying an alteration of the law regulating the sales of public lands, for reasons stated in the petition; and the petition was read.

*Ordered*, That it lie for consideration.

The President communicated a report of the Secretary of the Treasury, prepared in obedience to the provisions of the act, entitled "An act to regulate and fix the compensations of clerks, and to authorize the laying out certain public roads, and for other purposes," which was read; and

*Ordered*, That it lie for consideration.

Mr. Bayard gave notice that to-morrow he should ask leave to bring in a bill relative to the district court of the United States established in the territory of Orleans.

Mr. Reed, from the committee to whom was referred, on the 24th instant, the resolution for an amendment to the constitution of the United States, reported the same with amendments; which were read for consideration.

On motion,

The Senate adjourned to 11 o'clock to-morrow morning.

TUESDAY, JANUARY 30, 1810.

Mr. Giles, from the committee to whom was referred the bill, entitled "An act to authorize the removal of slaves from one part of the District of Columbia to another," reported the bill without amendment.

A message from the House of Representatives, by Mr. Magruder, their Clerk:

*Mr. President:* The House of Representatives agree to the amendment of the Senate to the bill, entitled "An act for the relief of Harry Caldwell and Amasa Jackson, Jeremiah Reynolds and Levin Jones." They have passed the bill, entitled "An act to extend certain privileges therein mentioned to Joseph Joshua Dyster," with amendments; in which they request the concurrence of the Senate. The House of Representatives have passed a bill, entitled "An act respecting the commercial intercourse between the United States and Great Britain and France, and for other purposes;" a bill, entitled "An act authorizing the discharge of William Hawkins from his imprisonment;" and a bill, entitled "An act for the relief of Jared Shattuck;" also, a bill, entitled "An act for the appointment of an additional judge, and extending the right of suffrage to the citizens of Madison county, in the Mississippi territory;" in which several bills they request the concurrence of the Senate. And he withdrew.

The bills last brought up for concurrence were read.

*Ordered,* That they severally pass to the second reading.

The Senate resumed, as in committee of the whole, the bill to engage a corps of volunteers, for a short period, in the service of the United States; and, after debate,

On motion, by Mr. Pickering,

*Ordered,* That the further consideration of the bill be postponed until to-morrow.

Mr. Pickering submitted the following motion for consideration:

*Resolved,* That the President of the United States be requested to lay before the Senate the information which will exhibit those features in the conduct of foreign powers towards the United States, referred to in his message of the 3d instant, which impose on them the necessity of the precautionary measures recommended in that message, of providing, by law, for detaching one hundred thousand of the militia, and for raising a force of twenty thousand volunteers.

On motion,

The Senate adjourned to 11 o'clock to-morrow morning.

WEDNESDAY, JANUARY 31, 1810.

Mr. Bayard, agreeably to notice, asked and obtained leave to bring in a bill relative to the district court of the United States established in the territory of Orleans; and the bill was read.

*Ordered,* That it pass to the second reading.

The bill, entitled "An act respecting the commercial intercourse between the United States and Great Britain and France, and for other purposes," was read the second time.

On motion, by Mr. Smith, of Maryland,

*Resolved,* That it be referred to a select committee, to consider and report thereon; and

*Ordered,* That Messrs. Smith, of Maryland, Crawford, Giles, Franklin, and Hillhouse, be the committee.

The bill, entitled "An act for the relief of Jared Shattuck," was read the second time.

On motion, by Mr. Gregg,

*Resolved,* That it be referred to a select committee, to consider and report thereon; and

*Ordered,* That Messrs. Gregg, Bradley, and Franklin, be the committee.

The bill, entitled "An act authorizing the discharge of William Hawkins from his imprisonment," was read the second time.

On motion, by Mr. Gregg,

*Resolved,* That it be referred to a select committee, to consider and report thereon; and

*Ordered,* That Messrs. Gregg, Bradley, and Mathewson, be the committee.

Mr. Pope, from the committee to whom was referred the bill, entitled "An act for the relief of John N. Stout," reported the bill without amendment.

The bill, entitled "An act for the appointment of an additional judge, and extending the right of suffrage to the citizens of Madison county, in the Mississippi territory," was read the second time; and

The President signed the enrolled bill last reported to have been examined, and

it was delivered to the committee, to be laid before the President of the United States.

The Senate resumed, as in committee of the whole, the bill to engage a corps of volunteers, for a short period, in the service of the United States; and, after progress,

On motion,

The Senate adjourned to 11 o'clock to-morrow morning.

### FRIDAY, FEBRUARY 2, 1810.

The President communicated the report of the Postmaster General, prepared in obedience to the provisions of the act passed 21st April, 1806, entitled "An act to regulate and fix the compensations of clerks, and to authorize the laying out certain public roads, and for other purposes:" which was read; and

*Ordered*, That it lie for consideration.

Mr. Whiteside, from the committee, reported that they had examined and found duly enrolled the bill, entitled "An act for the relief of Harry Caldwell and Amasa Jackson, Jeremiah Reynolds and Levin Jones."

Mr. Anderson presented the petition of a number of citizens of Washington county, in the District of Columbia, signed Walter Jones and others, praying that provision may be made for the establishment of a penitentiary system, for reasons stated at large in the petition. He also presented the representation of the grand jury of said county, together with the representation of the justices of the circuit court on the same subject, which were read; and

On motion, by Mr. Anderson,

*Resolved*, That they be referred to a select committee, to consider and report thereon.

*Ordered*, That Messrs. Anderson, Mathewson, and Crawford, be the committee.

Mr. Anderson presented the petition of Thomas Beall, of Georgetown, and others; also, the petition of William Marbury and others, inhabitants of the county of Washington, in the District of Columbia, praying that the 6th section of the act, entitled "An act supplementary to the act to incorporate the inhabitants of the city of Washington, in the District of Columbia," which exempts the city of Washington from taxation by the levy court of Washington county, be repealed, for reasons mentioned in the petitions, or that such laws may pass as may redress the grievances complained of; and the petitions were read.

On motion, by Mr. Anderson,

*Resolved*, That they be referred to a select committee, to consider and report thereon.

*Ordered*, That Messrs. Anderson, Condit, and Gregg, be the committee.

A message from the House of Representatives, by Mr. Magruder, their Clerk:

*Mr. President*: The Speaker of the House of Representatives having signed an enrolled bill, I am directed to bring it to the Senate for the signature of their President. And he withdrew.

The President signed the enrolled bill last reported to have been examined, and it was delivered to the committee, to be laid before the President of the United States.

The Senate resumed, as in committee of the whole, the bill to engage, for a short period, a corps of volunteers in the service of the United States; and, after debate,

On motion, by Mr. Giles,

*Ordered*, That the further consideration thereof be postponed to Monday next.

The Senate resumed the bill, entitled "An act to authorize the removal of slaves from one part of the District of Columbia to another;" and, after debate,

On motion,

The Senate adjourned to 11 o'clock on Monday morning.

### MONDAY, FEBRUARY 5, 1810.

The Honorable Henry Clay, appointed a Senator by the legislature of the state of Kentucky, in the place of the Honorable Buckner Thruston, attended, and, the oath prescribed by law having been administered to him, he took his seat in the Senate.

The President communicated the report of the commissioners of the sinking fund, stating that the measures which have been authorized by the board subsequent to their last report of the 4th of February, 1809, so far as the same have been completed, are fully detailed in the report of the Secretary of the Treasury to the board, dated the second day of the present month, and the statements therein referred to; which are therewith transmitted and prayed to be received as part of their report.

And the report was read.

*Ordered*, That it lie for consideration.

The Senate resumed the bill, entitled "An act to authorize the removal of slaves from one part of the District of Columbia to another;" and

*Ordered*, That it pass to the third reading.

A message from the House of Representatives, by Mr. Magruder, their Clerk:

*Mr. President*: The House of Representatives have passed a bill, entitled "An act making appropriations for the support of government during the year one thousand eight hundred and ten;" also, a bill, entitled "An act to prescribe the mode in which application shall be made for the purchase of land at the several land offices; and for the relief of Joab Garret," in which bills they desire the concurrence of the Senate. And he withdrew.

The bills last brought up for concurrence were read.

*Ordered*, That they severally pass to the second reading.

The Senate resumed, as in committee of the whole, the bill to engage, for a short period, a corps of volunteers in the service of the United States; and

On motion, by Mr. Gregg,

To strike out, from section third, line fourth, the words "immediately thereafter," for the purpose of inserting "upon entering into service in lieu thereof:

Mr. Bradley called for a division of the question, and the question was taken on striking out; and

Passed in the affirmative,	{ Yeas . . . . . 16,
	{ Nays . . . . . 16.

The yeas and nays having been required by one-fifth of the Senators present,

Those who voted in the affirmative, are,

Messrs. Bayard, Champlin, Gaillard, German, Goodrich, Gregg, Hillhouse, Horsey, Lloyd, Mathewson, Pickering, Reed, Smith, of New York, Sumter, Tait, and Turner.

Those who voted in the negative, are,

Messrs. Anderson, Bradley, Brent, Campbell, Clay, Condit, Crawford, Franklin, Giles, Lambert, Leib, Parker, Pope, Robinson, Smith, of Maryland, and Whiteside.

The Senate being equally divided, the President determined the question in the affirmative.

On the question, to insert the words "upon entering into service,"

It was determined in the affirmative,	{ Yeas . . . . . 21,
	{ Nays . . . . . 12.

The yeas and nays having been required by one-fifth of the Senators present,

Those who voted in the affirmative, are,

Messrs. Bayard, Champlin, Clay, Gaillard, German, Giles, Gilman, Goodrich, Gregg, Hillhouse, Horsey, Lloyd, Mathewson, Parker, Pickering, Reed, Smith, of Maryland, Smith, of New York, Sumter, Tait, and Turner.

Those who voted in the negative, are,

Messrs. Anderson, Bradley, Brent, Campbell, Condit, Crawford, Franklin, Lambert, Leib, Pope, Robinson, and Whiteside.

On motion, by Mr. Smith, of Maryland,

It was agreed that the consideration of the bill be further postponed.

Mr. Smith, of Maryland, from the committee to whom was recommitted, on the 17th January, the bill to incorporate a company for making certain turnpike roads in the District of Columbia, reported amendments; which were read for consideration.

The Senate resumed, as in committee of the whole, the bill, entitled "An act for the relief of John N. Stout."

*Ordered*, That it pass to the third reading.

On motion,

The Senate adjourned to 11 o'clock to-morrow morning.

## TUESDAY, FEBRUARY 6, 1810.

Mr. Whiteside, from the committee, reported that they yesterday laid before the President of the United States the enrolled bill, entitled "An act for the relief of Harry Caldwell and Amasa Jackson, Jeremiah Reynolds and Levin Jones;" also, the enrolled bill, entitled "An act to extend certain privileges therein mentioned to Joseph Joshua Dyster."

On motion, by Mr. Bayard,

*Resolved*, That the Attorney General be required to lay before the Senate a statement of the number and nature of the cases depending before the supreme court, upon writ of error or appeal from the district court of Orleans; and, also, information

as to the extent and nature of the jurisdiction actually exercised by the said district court.

The bill, entitled "An act to prescribe the mode in which application shall be made for the purchase of land at the several land offices, and for the relief of Joab Garret," was read the second time.

On motion, by Mr. Gregg,

*Resolved*, That it be referred to a select committee, to consider and report thereon; and

*Ordered*, That Messrs. Gregg, Campbell, and Anderson, be the committee.

The bill, entitled "An act making appropriations for the support of government during the year 1810," was read the second time.

On motion, by Mr. Smith, of Maryland,

*Resolved*, That it be referred to a select committee, to consider and report thereon; and

*Ordered*, That Messrs. Smith, of Maryland, Anderson, Crawford, Franklin, and Goodrich, be the committee.

The Senate resumed, as in committee of the whole, the bill to engage, for a short period, a corps of volunteers in the service of the United States; and

On motion, by Mr. Bayard,

It was agreed to postpone the bill for the purpose of considering the report of the committee to whom was referred the letter from the surveyor of the public buildings, of the 28th of November last; and

On motion, by Mr. Bayard,

The report having been amended, was agreed to as follows:

*Resolved*, That, from and after Saturday, the 10th instant, the Senate will hold their session in the new Senate chamber, lately provided in the north wing of the capitol.

Mr. Lloyd submitted the following motion for consideration:

*Resolved*, That the President of the United States be, and hereby is, requested to cause to be laid before the Senate the amount of duties which has accrued on merchandise imported into the United States from any port or place in the Mediterranean, since the 30th of June, 1804, and also the amount of duties which has accrued in consequence of the duty of two and a half per centum laid on all goods, wares, and merchandise, paying a duty ad valorem, imported into the United States; which said duty was laid for protecting the commerce and seamen of the United States; for carrying on warlike operations against any of the Barbary powers which might commit hostilities against the United States; and for defraying the expenses incidental to an intercourse with the said powers.

The consideration of the bill last mentioned was resumed, as in committee of the whole; and sundry amendments having been submitted by Mr. Bradley,

On motion,

It was agreed that the consideration of the bill, together with the amendments, be postponed until to-morrow.

The bill, entitled "An act to authorize the removal of slaves from one part of the District of Columbia to another," was read the third time.

On motion, by Mr. Giles,

*Resolved*, That it be recommitted to a select committee, to consider and report thereon; and,

*Ordered*, That Messrs. Bradley, Giles, and Reed, be the committee.

The bill, entitled "An act for the relief of John N. Stout," was read the third time.

*Resolved*, That this bill pass.

*Ordered*, That the Secretary acquaint the House of Representatives with the concurrence of the Senate in this bill.

The bill granting a right of pre-emption to purchasers of public lands in certain cases was resumed, and postponed.

The Senate resumed the bill to incorporate a company for making certain turnpike roads in the District of Columbia; and,

On motion, by Mr. Bradley,

It was agreed that the consideration thereof be postponed until to-morrow.

The Senate resumed the third reading of the bill to incorporate religious societies in the District of Columbia; and,

On motion, by Mr. Bradley,

It was agreed that the consideration thereof be postponed until Monday next.

After the consideration of the Executive business,

The Senate adjourned to 11 o'clock to-morrow morning.

WEDNESDAY, FEBRUARY 7, 1810.

On motion, by Mr. Bradley,

It was agreed that the further consideration of the bill to engage a corps of volunteers for a short period in the service of the United States, be the order of the day for Monday next.

The Senate resumed, as in committee of the whole, the report of the select committee on the bill to incorporate a company for making certain turnpike roads in the District of Columbia; and, after progress,

On motion, by Mr. Anderson,

It was agreed that the further consideration thereof be postponed until to-morrow.

A message from the House of Representatives, by Mr. Magruder, their Clerk:

*Mr. President:* The House of Representatives have passed a bill, entitled "An act to extend the time for locating Virginia military land warrants, and for returning the surveys thereon to the Secretary of the Department of War;" in which they desire the concurrence of the Senate. The President of the United States did, on the 5th instant, approve and sign "An act for the relief of Harry Caldwell and Amasa Jackson, Jeremiah Reynolds and Levin Jones;" also, "An act to extend certain privileges therein mentioned to Joseph Joshua Dyster." And he withdrew.

The bill last brought up for concurrence was read.

*Ordered,* That it pass to the second reading.

After the consideration of the Executive business,

The Senate adjourned to 11 o'clock to-morrow morning.

THURSDAY, FEBRUARY 8, 1810.

The bill, entitled "An act to extend the time for locating Virginia military land warrants, and for returning the surveys thereon to the Secretary of the Department of War," was read the second time.

On motion, by Mr. Gregg,

*Resolved,* That it be referred to a select committee, to consider and report thereon; and,

*Ordered,* That Messrs. Gregg, Giles, and Brent, be the committee.

The Senate resumed, as in committee of the whole, the consideration of the bill to incorporate a company for making certain turnpike roads in the District of Columbia, together with the report of the select committee thereon; which was amended and agreed to; and, the bill having been further amended, the President reported it to the House accordingly.

On the question, Shall this bill be engrossed and read a third time as amended?

It was determined in the affirmative.

The Senate resumed the second reading of the bill granting a right of pre-emption to purchasers of public lands in certain cases; and,

On the question, Shall this bill be engrossed and read a third time?

It was determined in the affirmative.

The Senate resumed the motion submitted on the 18th of January for an amendment to the constitution of the United States, together with the amendments reported thereon by the select committee; and,

On motion, by Mr. Bayard,

It was agreed that the consideration thereof be the order of the day for Tuesday next.

After the consideration of the Executive business,

The Senate adjourned to 11 o'clock to-morrow morning.

FRIDAY, FEBRUARY 9, 1810.

Mr. Gregg, from the committee to whom was referred the bill, entitled "An act authorizing the discharge of William Hawkins from his imprisonment," reported it with an amendment; which was agreed to.

*Ordered,* That this bill pass to the third reading as amended.

Mr. Gilman, from the committee, reported that they had examined and found correctly engrossed the bill granting a right of pre-emption to purchasers of public lands in certain cases; and the bill was read the third time; and the blank having been filled with "six hundred and forty,"

On motion, by Mr. Bradley,

*Ordered,* That the consideration of the bill be further postponed.

The President communicated a letter from Robert Fulton, with sundry copies of his pamphlet, explanatory of the practice and effects of torpedoes; and the letter was read.

The President communicated the report of the Attorney General, made in obedience to the resolution of the Senate of the 6th instant; which was read.

On motion, by Mr. Bayard,

*Ordered*, That it be referred to the committee to whom was referred, on the 1st instant, the bill relative to the district court of the United States established in the territory of Orleans; and that it be printed for the use of the Senate.

A message from the House of Representatives, by Mr. Magruder, their Clerk:

*Mr. President*: The House of Representatives have passed a bill, entitled "An act to prevent the issuing of sea-letters except to certain vessels;" in which they desire the concurrence of the Senate. They have passed the bill sent from the Senate, entitled "An act in addition to the act to regulate the laying out and making a road from Cumberland, in the state of Maryland, to the state of Ohio." And he withdrew.

The bill last brought up for concurrence was read.

*Ordered*, That it pass to the second reading.

On motion,

The Senate adjourned to 11 o'clock on Monday morning.

#### MONDAY, FEBRUARY 12, 1810.

Mr. Gilman, from the committee, reported that they had examined and found correctly engrossed the bill to incorporate a company for making certain turnpike roads in the District of Columbia; also, the amendment to the bill, entitled "An act authorizing the discharge of William Hawkins from his imprisonment."

Mr. Whiteside, from the committee, reported that they had examined and found duly enrolled the bill, entitled "An act for the relief of John N. Stout;" also, the bill, entitled "An act in addition to the 'Act to regulate the laying out and making a road from Cumberland, in the state of Maryland, to the state of Ohio.'"

The bill, entitled "An act to prevent the issuing of sea-letters, except to certain vessels," was read the second time.

On motion, by Mr. Bayard,

*Resolved*, That it be referred to a select committee, to consider and report thereon; and,

*Ordered*, That Messrs. Bayard, Bradley, and Leib, be the committee.

Agreeably to the order of the day, the Senate resumed, as in committee of the whole, the bill to engage a corps of volunteers for a short period in the service of the United States; and,

On motion, by Mr. Bradley,

It was agreed that the further consideration of this bill be the order of the day for Monday next.

The Senate resumed, as in committee of the whole, the bill authorizing a subscription, on behalf of the United States, to the capital stock of the Chesapeake and Delaware and Ohio Canal Companies, as amended; and,

On motion, by Mr. Bayard,

It was agreed that the further consideration thereof be postponed until Wednesday next.

The Senate resumed the third reading of the bill granting a right of pre-emption to purchasers of public lands in certain cases; and,

On motion, by Mr. Bradley,

It was agreed that the further consideration thereof be postponed until Thursday next.

The Senate resumed the bill to incorporate religious societies in the District of Columbia; and

On motion, by Mr. Anderson,

*Ordered*, That the further consideration thereof be postponed to the first Monday in December next.

A message from the House of Representatives, by Mr. Magruder, their Clerk:

*Mr. President*: The Speaker of the House of Representatives having signed two enrolled bills, I am directed to bring them to the Senate for the signature of their President. And he withdrew.

The President signed the two enrolled bills last reported to have been examined, and they were delivered to the committee, to be laid before the President of the United States.

The bill, entitled "An act authorizing the discharge of William Hawkins from his imprisonment," was read the third time as amended.

*Resolved*, That this bill pass with an amendment.

*Ordered*, That the Secretary request the concurrence of the House of Representatives therein.

The Senate resumed the consideration of the motion made on the sixth instant respecting the duties on goods imported from the Mediterranean; which was amended and agreed to, as follows:

*Resolved*, That the President of the United States be, and he hereby is, requested to cause to be laid before the Senate the amount of duties which has accrued on merchandise imported into the United States from any port or place in the Mediterranean since the 30th of June, 1804; and, also, the amount of duties which has accrued in consequence of the duty of two and a half per cent laid on all goods, wares, and merchandise, paying a duty ad valorem, imported into the United States; which said duty was laid by an act, entitled "An act further to protect the commerce and seamen of the United States against the Barbary powers;" and the several acts to revive and continue the same in force.

*Ordered*, That the Secretary lay this resolution before the President of the United States.

The bill to incorporate a company for making certain turnpike roads in the District of Columbia was read the third time as amended; and

On motion, by Mr. Smith, of Maryland,

It was agreed, by unanimous consent, to amend the bill, as follows: line 113, after the word "mentioned," insert "for and during the term of twenty years, after which it shall be lawful for Congress to regulate said tolls, provided the said tolls shall never be reduced so that the stockholders shall not receive ten per centum interest on their capital stock; and some of the blanks having been filled, as follows:

The 1st with "twenty-five cents."

2d "twenty-five cents."

3d "fifty cents."

4th "twelve and a half cents."

5th "twenty cents."

6th "six cents."

On motion, by Mr. Leib,

It was agreed to recommit the bill, for the purpose of providing a difference between the tolls on business and pleasure carriages; and

*Ordered*, That Messrs. Leib, Smith, of Maryland, and Brent, be the committee.

On motion,

The Senate adjourned to 11 o'clock to-morrow morning.

## TUESDAY, FEBRUARY 13, 1810.

Mr. Gregg, from the committee to whom was referred, on the sixth instant, the bill from the House of Representatives, entitled "An act to prescribe the mode in which application shall be made for the purchase of land at the several land offices, and for the relief of Joab Garret," reported the bill with amendments; which were considered and agreed to.

*Ordered*, That this bill pass to the third reading as amended.

Mr. Smith, of Maryland, from the committee to whom was referred the bill from the House of Representatives, entitled "An act respecting the commercial intercourse between the United States and Great Britain and France, and for other purposes," reported it with an amendment.

Agreeably to the order of the day, the Senate resumed the motion made on the 18th of January for an amendment to the constitution of the United States, together with the amendments reported thereon by the select committee.

On motion, by Mr. Crawford,

*Resolved*, That it be recommitted to a select committee, to consist of five members, further to consider and report thereon; and

*Ordered*, That Messrs. Reed, Crawford, Leib, Giles, and Pickering, be the committee.

Mr. Bayard, from the committee to whom was referred, on the first instant, the bill relative to the district court of the United States established in the territory of Orleans, reported it with amendments; which were read.

A message from the House of Representatives, by Mr. Magruder, their Clerk:

*Mr. President*: The House of Representatives concur in the amendment of the Senate to the bill, entitled "An act authorizing the discharge of William Hawkins from his imprisonment." And he withdrew.

On motion, by Mr. Leib,

It was agreed that the further consideration of the bill, entitled "An act respecting the commercial intercourse between the United States and Great Britain and France, and for other purposes," together with the amendment reported thereon, be the order of the day for Monday next.

On motion,

The Senate adjourned to 11 o'clock to-morrow morning.

### WEDNESDAY, FEBRUARY 14, 1810.

Mr. Gilman, from the committee, reported the amendments to the bill, entitled "An act to prescribe the mode in which application shall be made for the purchase of land at the several land offices, and for the relief of Joab Garret," correctly engrossed; and the bill was read the third time as amended.

*Resolved*, That this bill pass with amendments.

*Ordered*, That the Secretary request the concurrence of the House of Representatives in the amendments.

Mr. Whiteside, from the committee, reported that they had this day laid before the President of the United States the enrolled bill, entitled "An act for the relief of John N. Stout;" also, the enrolled bill, entitled "An act in addition to the act to regulate the laying out and making a road from Cumberland, in the state of Maryland, to the state of Ohio."

Mr. Bradley, from the committee to whom was referred, on the 20th of December, the bill, entitled "An act to revive an act, entitled 'An act for the relief of the refugees from the British provinces of Canada and Nova Scotia, and for other purposes,'" reported the bill with amendments; which were read.

The Senate resumed the consideration of the report of the select committee on the bill relative to the district court of the United States established in the territory of Orleans; and

On motion,

The Senate adjourned to 11 o'clock to-morrow morning.

### THURSDAY, FEBRUARY 15, 1810.

Mr. Bradley, from the committee to whom was recommitted, on the 6th instant, the bill, entitled "An act authorizing the removal of slaves from one part of the District of Columbia to another," reported the bill with amendments; which were read.

The Senate resumed the bill granting a right of pre-emption to purchasers of public lands in certain cases; and

On motion, by Mr. Bradley,

*Resolved*, That it be recommitted to a select committee, to consist of five members, further to consider and report thereon; and

*Ordered*, That Messrs. Bradley, Gregg, Meigs, Franklin, and Campbell, be the committee.

Mr. Reed, from the committee to whom was recommitted, on the 13th instant, the resolution for an amendment to the constitution of the United States, together with the amendments reported thereon by the select committee, reported the same further amended.

The Senate resumed, as in committee of the whole, the consideration of the amendments reported by the select committee to the bill, entitled "An act to revive an act, entitled 'An act for the relief of the refugees from the British provinces of Canada and Nova Scotia, and for other purposes;' and, having agreed thereto, the President reported the bill to the House amended accordingly.

*Ordered*, That this bill pass to the third reading as amended.

Mr. Smith, of Maryland, from the committee to whom was referred, on the 6th instant, the bill, entitled "An act making appropriations for the support of government during the year one thousand eight hundred and ten," reported the same with amendments; which were read.

Mr. Hillhouse submitted the following motion for consideration:

*Resolved*, That the President of the United States be requested to cause to be laid before the Senate information of the manner in which the act, entitled "An act to amend and continue in force certain parts of the act, entitled 'An act to interdict the commercial intercourse between the United States and Great Britain and France, and their dependencies, and for other purposes,'" has been executed; and

how far exports to, and imports from, the ports of Great Britain have been or now are permitted; and whether collectors of districts in the United States do not admit to an entry goods the growth and manufacture of Great Britain, and, if so, under what authority the same is done.

On motion,

The Senate adjourned to 11 o'clock to-morrow morning.

### FRIDAY, FEBRUARY 16, 1810.

Mr. Gilman, from the committee, reported the amendments to the bill, entitled "An act to revive an act, entitled 'An act for the relief of the refugees from the British provinces of Canada and Nova Scotia, and for other purposes,' correctly engrossed.

The Senate resumed the motion made yesterday, for information on the manner in which the non-intercourse law hath been executed.

On motion, by Mr. Giles,

To amend the motion, by striking out all that follows the word "information," and inserting, in lieu thereof, these words: "whether, in the execution of the act, entitled 'An act to amend and continue in force certain parts of the act, entitled 'An act to interdict the commercial intercourse between the United States and Great Britain and France, and their dependencies, and for other purposes,' exports to, and imports from, the ports of Great Britain or France have been or are now permitted; and whether collectors of districts in the United States, do not admit to an entry goods the growth and manufacture of Great Britain or France:'"

Whereupon,

Mr. Hillhouse called for a division of the question, and it was taken on striking out;

And passed in the affirmative,  $\left\{ \begin{array}{l} \text{Yeas} \dots\dots\dots 19, \\ \text{Nays} \dots\dots\dots 10. \end{array} \right.$

On motion, by Mr. Hillhouse,

The yeas and nays having been required by one-fifth of the Senators present,

Those who voted in the affirmative, are,

Messrs. Anderson, Bradley, Campbell, Condit, Franklin, Gaillard, German, Giles, Gilman, Lambert, Mathewson, Meigs, Parker, Robinson, Smith, of Maryland, Smith, of New York, Tait, Turner, and Whiteside.

Those who voted in the negative, are,

Messrs. Bayard, Crawford, Goodrich, Gregg, Hillhouse, Horsey, Lloyd, Pickering, Reed, and Sumter.

On the question to adopt the amendment, amended as follows:

"Whether, in the execution of the act, entitled 'An act to amend and continue in force certain parts of the act, entitled 'An act to interdict the commercial intercourse between the United States and Great Britain and France, and their dependencies, and for other purposes,' exports to, and imports from, the ports of Great Britain or France have been or are now permitted; and whether collectors of districts in the United States do not admit to an entry goods the growth and manufacture of Great Britain or France; and the instructions under which such collectors have acted:'"

It was determined in the affirmative,  $\left\{ \begin{array}{l} \text{Yeas} \dots\dots\dots 29, \\ \text{Nay} \dots\dots\dots 1. \end{array} \right.$

On motion, by Mr. Anderson,

The yeas and nays having been required by one-fifth of the Senators present,

Those who voted in the affirmative, are,

Messrs. Anderson, Bayard, Bradley, Campbell, Champlin, Condit, Crawford, Franklin, Gaillard, German, Giles, Gilman, Goodrich, Gregg, Hillhouse, Horsey, Lambert, Lloyd, Mathewson, Meigs, Parker, Pickering, Robinson, Smith, of Maryland, Smith, of New York, Sumter, Tait, Turner, and Whiteside.

Mr. Reed voted in the negative.

So it was

*Resolved*, That the President of the United States be requested to cause to be laid before the Senate information whether, in the execution of the act, entitled "An act to amend and continue in force certain parts of the act, entitled 'An act to interdict the commercial intercourse between the United States and Great Britain and France, and their dependencies, and for other purposes,' exports to, and imports from, the ports of Great Britain or France have been or are now permitted; and whether collectors of districts in the United States do not admit to an entry goods the growth and manufacture of Great Britain or France; and the instructions under which such collectors have acted.

*Ordered*, That the Secretary lay this resolution before the President of the United States.

Mr. Whiteside, from the committee, reported that they had examined and found duly enrolled the bill, entitled "An act authorizing the discharge of William Hawkins from his imprisonment."

A message from the House of Representatives, by Mr. Magruder, their Clerk:

*Mr. President*: The Speaker of the House of Representatives having signed an enrolled bill, I am directed to bring it to the Senate for the signature of their President. And he withdrew.

The President signed the enrolled bill last reported to have been examined, and it was delivered to the committee, to be laid before the President of the United States.

The Senate resumed, as in committee of the whole, the bill, entitled "An act making appropriations for the support of government during the year 1810;" together with the amendments reported by the select committee; and, after progress,

On motion, by Mr. Bayard,

It was agreed that the further consideration thereof be postponed to Monday next.

A message from the President of the United States, by Mr. Coles, his Secretary:

*Mr. President*: The President of the United States did, on the 14th instant, approve and sign "An act in addition to the act to regulate the laying out and making a road from Cumberland, in the state of Maryland, to the state of Ohio."

*Ordered*, That the Secretary notify the House of Representatives accordingly.

On motion,

The Senate adjourned to 11 o'clock on Monday morning.

#### MONDAY, FEBRUARY 19, 1810.

Mr. Bradley presented a petition from the committee in behalf of the trustees of the Erie Literary Society, stating that the legislature of the state of Ohio, in the year 1803, incorporated that society, with power to establish a college in the Connecticut Western Reserve; and that the trustees have fixed upon the town of Burton, in the county of Granger, for the purpose; and praying a donation in land for the benefit of the institution; and the petition was read.

On motion, by Mr. Bradley,

*Resolved*, That it be referred to a select committee, to consider and report thereon by bill or otherwise; and

*Ordered*, That Messrs. Bradley, Gregg, and Goodrich, be the committee.

Mr. Bradley presented the petition of Amasa Soper, of Westminster, in the state of Vermont, late a captain in the Revolutionary army of the United States, detailing his services and sufferings, and praying relief; and the petition was read.

The President communicated a report from the Secretary of War, on the sale of public arms to individual states, as authorized by the act of the 2d of April, 1808, entitled "An act authorizing the sale of public arms;" which was read.

*Ordered*, That it lie for consideration.

Mr. Leib presented the petition of Joseph Joshua Dyster, stating that he had discovered a new and important mode of propelling vessels through the water by means of steam; and praying Congress to grant him the privilege of obtaining for that purpose a patent right, he not having been long enough a resident in the United States to entitle him thereto; and the petition was read.

On motion, by Mr. Leib,

*Resolved*, That it be referred to a select committee, to consider and report thereon; and

*Ordered*, That Messrs. Leib, Goodrich, and Mathewson, be the committee.

The bill, entitled "An act to revive an act, entitled 'An act for the relief of the refugees from the British provinces of Canada and Nova Scotia, and for other purposes,'" was read the third time as amended.

*Resolved*, That this bill pass with amendments.

*Ordered*, That the Secretary request the concurrence of the House of Representatives in the amendments.

The Senate resumed, as in committee of the whole, the bill, entitled "An act making appropriations for the support of government during the year 1810," together with the amendments reported by the select committee.

On motion, by Mr. Lloyd,

To strike out the following words, section 1, lines 160, 161: "For repaying the bank of the United States a sum advanced to the late collector of New Orleans, to enable him to pay drawbacks, one hundred thousand dollars."

It was determined in the negative, { Yeas . . . . . 8,  
 { Nays . . . . . 22.

On motion, by Mr. Lloyd,

The yeas and nays having been required by one-fifth of the Senators present,

Those who voted in the affirmative, are,

Messrs. Bayard, Champlin, Goodrich, Hillhouse, Horsey, Lloyd, Pickering, and Reed.

Those who voted in the negative, are,

Messrs. Bradley, Brent, Campbell, Condit, Crawford, Franklin, Gaillard, German, Giles, Gregg, Lambert, Leib, Mathewson, Meigs, Parker, Robinson, Smith, of Maryland, Smith, of New York, Sumter, Tait, Turner, and Whiteside.

And the report of the select committee having been amended, was agreed to; and the President having reported the bill to the House amended accordingly,

On the question, Shall this bill be read a third time as amended?

It was determined in the affirmative.

The following written message was received from the President of the United States, by Mr. Coles, his Secretary:

*To the Senate of the United States:*

I transmit a report of the Secretary of the Treasury, complying with their resolution of the 12th instant.

JAMES MADISON.

*February 17, 1810.*

The message and report were read.

*Ordered,* That they lie for consideration.

Mr. Hillhouse presented the petition of William Marbury and others, inhabitants of Georgetown and District of Columbia, praying a law authorizing a turnpike from the intersection of Fayette and High Street, continued by Tennytown, to the place where the Fredericktown road now crosses the district line; and the petition was read.

*Ordered,* That it lie for consideration.

On motion,

The Senate adjourned to 11 o'clock to-morrow morning.

## TUESDAY, FEBRUARY 20, 1810.

Mr. Leib presented the memorial of a large number of the citizens of the state of Pennsylvania, on the subject of our foreign relations, and remonstrating against the passage of a bill pending in the Senate, respecting the commercial intercourse between the United States and Great Britain and France, and for other purposes; and the memorial was read.

Mr. German presented the petition of a number of the citizens of the city of New York on the same subject; which was read.

Mr. Gilman, from the committee, reported the amendments to the bill, entitled "An act making appropriations for the support of government, during the year one thousand eight hundred and ten," correctly engrossed; and

The bill was read the third time as amended.

*Resolved,* That this bill pass with amendments.

*Ordered,* That the Secretary request the concurrence of the House of Representatives in the amendments.

Mr. Meigs, from the committee appointed on the 8th of January, to inquire into the expediency of establishing by law a land department of the United States, reported a bill to add to the officers of the Treasury a superintendent of the public lands of the United States; which was read.

*Ordered,* That it pass to the second reading.

Mr. Bradley submitted the following motion for consideration:

*Resolved,* That a committee be appointed to inquire into the expediency of employing the torpedo, or sub-marine explosions, in conjunction with the naval and military operations of the United States, for the better defence of their ports and harbors, with leave to report by bill or otherwise.

The President communicated a petition of George H. Hannah and others, impressed American seamen, in the British service, praying the interposition of government for their relief; and the petition was read.

On motion, by Mr. Giles,

*Ordered,* That it be referred to the Secretary of State, to consider and report thereon to the Senate.



Messrs. Bradley, Brent, Clay, Condit, Crawford, Franklin, Lambert, Robinson, Smith, of New York, Sumter, and Turner.

And sundry other amendments having been agreed to,

The President reported the bill to the House amended, by striking out the 3d, 4th, 5th, 6th, 7th, 8th, 9th, 10th, 11th, and 13th sections.

On the question, Shall this bill be read a third time as amended?

It was determined in the affirmative.

A message from the House of Representatives, by Mr. Magruder, their Clerk:

*Mr. President:* The President of the United States did, on the 14th instant, approve and sign "An act for the relief of John N. Stout." The House of Representatives concur in the amendments of the Senate to the bill, entitled "An act to prescribe the mode in which application shall be made for the purchase of land at the several land offices, and for the relief of Joab Garret." They also concur in the amendments of the Senate to the bill, entitled "An act to revive an act, entitled 'An act for the relief of the refugees from the British provinces of Canada and Nova Scotia, and for other purposes.'" And he withdrew.

On motion, by Mr. Brent,

It was agreed that the bill, entitled "An act to authorize the removal of slaves from one part of the District of Columbia to another," be further postponed.

A message from the House of Representatives, by Mr. Magruder, their Clerk:

*Mr. President:* The House of Representatives have passed a bill, entitled "An act providing for the third census, or enumeration of the inhabitants of the United States;" a bill, entitled "An act making appropriations for the support of the military establishment of the United States for the year one thousand eight hundred and ten;" also, a bill, entitled "An act making appropriations for the support of the navy of the United States for the year one thousand eight hundred and ten;" in which several bills they desire the concurrence of the Senate. And he withdrew.

The bills last brought up for concurrence were read.

*Ordered,* That they severally pass to the second reading.

On motion, by Mr. Smith, of Maryland,

The bill, entitled "An act making appropriations for the support of the military establishment of the United States for the year 1810," was read the second time by unanimous consent.

*Resolved,* That it be referred to a select committee, to consider and report thereon; and,

*Ordered,* That Messrs. Smith, of Maryland, Bradley, and Crawford, be the committee.

On motion, by Mr. Smith, of Maryland,

The bill, entitled "An act making appropriations for the support of the navy of the United States for the year 1810," was read the second time by unanimous consent.

*Resolved,* That it be referred to a select committee, to consider and report thereon; and,

*Ordered,* That Messrs. Gregg, Anderson, and Clay, be the committee.

The Senate resumed the consideration of the bill relative to the district court of the United States established in the territory of Orleans, together with the report of the select committee thereon; and having amended the bill and report,

On motion, by Mr. Bayard,

It was agreed that the further consideration thereof be postponed until to-morrow.

On motion, by Mr. Anderson,

The further consideration of the bill, entitled "An act for the relief of Joseph Summerl, Simon Philipson, William Hamon, Archibald M'Call, and Isaac Clason," was postponed until to-morrow.

On motion, by Mr. Bayard,

It was agreed that the bill authorizing a subscription on behalf of the United States to the capital stock of the Chesapeake and Delaware and Ohio Canal Companies, be postponed until to-morrow.

On motion,

The Senate adjourned to 11 o'clock to-morrow morning.

#### THURSDAY, FEBRUARY 22, 1810.

Mr. Gregg, from the committee to whom was referred the bill, entitled "An act for the relief of Jared Shattuck," reported it without amendment; and

On motion, by Mr. Gregg,

*Ordered,* That the further consideration thereof be postponed until the second Monday in March next.

Mr. Gilman, from the committee, reported the amendments to the bill, entitled "An act respecting the commercial intercourse between the United States and Great Britain and France, and for other purposes," correctly engrossed; and the bill was read the third time as amended.

On motion, by Mr. Clay,

To recommit the bill, for the purpose of amendment,

It was determined in the negative { Yeas . . . . . 13,  
Nays . . . . . 20.

On motion, by Mr. Champlin,

The yeas and nays having been required by one-fifth of the Senators present,

Those who voted in the affirmative, are,

Messrs. Bradley, Brent, Campbell, Clay, Condit, German, Mathewson, Meigs, Parker, Pope, Robinson, Sumter, and Whiteside.

Those who voted in the negative, are,

Messrs. Anderson, Bayard, Champlin, Crawford, Franklin, Gaillard, Gilman, Goodrich, Gregg, Hillhouse, Horsey, Lambert, Leib, Lloyd, Pickering, Reed, Smith, of Maryland, Smith, of New York, Tait, and Turner.

On the question, Shall this bill pass as amended?

It was determined in the affirmative, { Yeas . . . . . 26,  
Nays . . . . . 7.

On motion, by Mr. Champlin,

The yeas and nays having been required by one-fifth of the Senators present,

Those who voted in the affirmative, are,

Messrs. Anderson, Bayard, Brent, Campbell, Champlin, Crawford, Franklin, Gaillard, Gilman, Goodrich, Gregg, Hillhouse, Horsey, Lambert, Leib, Lloyd, Mathewson, Meigs, Pickering, Reed, Smith, of Maryland, Smith, of New York, Sumter, Tait, Turner, and Whiteside.

Those who voted in the negative, are,

Messrs. Bradley, Clay, Condit, German, Parker, Pope, and Robinson.

So it was,

*Resolved*, That this bill pass with amendments.

On motion, by Mr. Smith, of Maryland,

It was agreed that the title of the bill be amended, to read as follows:

"An act to interdict the public ships and vessels of France and Great Britain from the ports and harbors of the United States, and for other purposes."

*Ordered*, That the Secretary request the concurrence of the House of Representatives in the amendments to this bill.

Mr. Bradley presented several petitions from a number of the inhabitants of the territory of Louisiana, praying to be admitted to the privileges consequent upon a second grade of territorial government; and the petitions were read.

The President communicated the report of the Secretary of State, in obedience to the order of the Senate of the 20th instant; which was read for consideration.

The President communicated the report of the Secretary of War, in compliance with the act of the 21st of April, 1808, of three statements, comprehending contracts made by the Secretary of War, and those made by the purveyor of public supplies; and the report was read.

Mr. Leib, from the committee appointed on the 19th instant, on the petition of Joseph Joshua Dyster, reported a bill to extend certain privileges therein mentioned to Joseph Joshua Dyster; and the bill was read.

*Ordered*, That it pass to the second reading.

The Senate resumed, as in committee of the whole, the second reading of the bill, entitled "An act providing for the third census or enumeration of the inhabitants of the United States;" and

On motion, by Mr. Leib,

*Resolved*, That it be referred to a select committee, to consider and report thereon; and

*Ordered*, That Messrs. Leib, Anderson, Campbell, Franklin, and Pope, be the committee.

On motion,

The Senate adjourned to 11 o'clock to-morrow morning.

#### FRIDAY, FEBRUARY 23, 1810.

Mr. Whiteside, from the committee, reported that they had examined and found duly enrolled the bill, entitled "An act to revive an act, entitled 'An act for the relief of the refugees from the British provinces of Canada and Nova Scotia, and for

It was agreed that the bill relative to the district court of the United States established in the territory of Orleans, be printed, as amended.

The Senate resumed, as in committee of the whole, the bill for the relief of Joseph Summerl, Simon Philipson, William Hamon, Archibald M'Call, and Isaac Clason, together with the amendments thereto reported by the select committee; and,

On motion, by Mr. Bradley,

*Ordered*, That it be the order of the day for Tuesday next.

The Senate resumed, as in committee of the whole, the bill to add to the officers of the Treasury a superintendent of the public lands of the United States; and,

On motion, by Mr. Leib,

*Ordered*, That the further consideration thereof be postponed until Wednesday next.

The Senate resumed, as in committee of the whole, the bill authorizing a subscription on behalf of the United States to the capital stock of the Chesapeake and Delaware and Ohio Canal Companies; and

On motion, by Mr. Pope,

*Ordered*, That the further consideration thereof be postponed until Monday next.

The following written message was received from the President of the United States, by Mr. Coles, his Secretary:

*To the Senate of the United States:*

I transmit to the Senate a report of the Secretary of the Treasury, complying with their resolution of the 16th instant.

JAMES MADISON.

February 22, 1810.

The message and papers were read.

*Ordered*, That they lie for consideration.

Mr. Bayard, from the committee to whom was referred the bill, entitled "An act to prevent the issuing of sea-letters, except to certain vessels," reported it without amendment.

And the several orders of the day having been postponed until Monday next,

After the consideration of the Executive business,

The Senate adjourned to 11 o'clock on Monday morning.

#### MONDAY, FEBRUARY 26, 1810.

Mr. Gilman, from the committee, reported the bill to extend certain privileges therein mentioned to Joseph Joshua Dyster correctly engrossed; and the bill was read the third time.

*Resolved*, That this bill pass, and that the title thereof be "An act to extend certain privileges therein mentioned to Joseph Joshua Dyster."

*Ordered*, That the Secretary request the concurrence of the House of Representatives in this bill.

Mr. Gilman, from the committee, also reported the amendments to the bill, entitled "An act for the appointment of an additional judge, and extending the right of suffrage to the citizens of Madison county, in the Mississippi territory," correctly engrossed; and the bill was read the third time as amended.

*Resolved*, That this bill pass with amendments.

*Ordered*, That the Secretary request the concurrence of the House of Representatives in the amendments.

Mr. Gregg, from the committee to whom was recommitted the bill, entitled "An act making appropriations for the support of the navy of the United States for the year 1810," reported it with amendments, which were considered as in committee of the whole, and agreed to; and the President reported the bill to the house amended accordingly.

On the question, Shall this bill be read a third time as amended?

It was determined in the affirmative.

Mr. Whiteside, from the committee, reported that they did, on the 24th instant, lay before the President of the United States the enrolled bill, entitled "An act further to provide for the refugees from the British provinces of Canada and Nova Scotia, and for other purposes;" also, the enrolled bill, entitled "An act to prescribe the mode in which application shall be made for the purchase of land at the several land offices; and for the relief of Joab Garret."

Mr. Bradley, from the committee appointed, on the 21st instant, to inquire into the expediency of employing the torpedo, or submarine explosions, in conjunction with the naval and military operations of the United States, reported a bill making an appropriation for the purpose therein mentioned; and the bill was read.

*Ordered*, That it pass to the second reading.

A message from the House of Representatives, by Mr. Magruder, their Clerk:

*Mr. President:* The Speaker of the House of Representatives having signed an enrolled bill, I am directed to bring it to the Senate for the signature of their President. And he withdrew.

The President signed the enrolled bill last reported to have been examined, and it was delivered to the committee, to be laid before the President of the United States.

The bill, entitled "An act making appropriations for the support of the military establishment of the United States for the year 1810," was read the third time.

*Resolved,* That this bill pass.

*Ordered,* That the Secretary acquaint the House of Representatives with the concurrence of the Senate in this bill.

The Senate resumed the consideration of the bill, entitled "An act authorizing the removal of slaves from one part of the District of Columbia to another," together with the amendments reported thereto by the select committee.

On motion, by Mr. Hillhouse,

To strike out the first section of the bill, for the purpose of inserting amendments:

A division of the question was called for, and it was taken on striking out; and

Passed in the affirmative,	{ Yeas . . . . . 21,
	{ Nays . . . . . 9.

On motion, by Mr. Hillhouse,

The yeas and nays having been required by one-fifth of the Senators present,

Those who voted in the affirmative, are,

Messrs. Bradley, Campbell, Champlin, Condit, Crawford, German, Gilman, Goodrich, Gregg, Hillhouse, Lambert, Leib, Lloyd, Mathewson, Meigs, Parker, Pickering, Pope, Reed, Robinson, and Smith, of New York.

Those who voted in the negative, are,

Messrs. Brent, Franklin, Gaillard, Giles, Smith, of Maryland, Sumter, Tait, Turner, and Whiteside.

And, after debate,

On motion, by Mr. Giles,

*Resolved,* That the bill be recommitted to a select committee, further to consider and report thereon. And,

*Ordered,* That Messrs. Bradley, Giles, and Hillhouse, be the committee.

The following motion was submitted for consideration by Mr. Leib:

*Resolved,* That a committee be appointed to inquire into the expediency of allowing additional rations to the commanders of separate posts, and to define what shall constitute a command to entitle an officer to additional rations; and that the committee have leave to report by bill or otherwise.

Mr. Campbell gave notice that he should to-morrow ask leave to bring in a bill to alter the time for holding the district court in the state of Ohio.

On motion,

The Senate adjourned to 11 o'clock to-morrow morning.

## TUESDAY, FEBRUARY 27, 1810.

Mr. Gilman, from the committee, reported the amendments to the bill, entitled "An act making appropriations for the support of the navy of the United States for the year 1810," correctly engrossed; and the bill was read the third as amended.

*Resolved,* That this bill pass with amendments.

*Ordered,* That the Secretary request the concurrence of the House of Representatives in the amendments.

Mr. Whiteside, from the committee, reported that they yesterday laid before the President of the United States the enrolled bill, entitled "An act making appropriations for the support of government during the year 1810."

Mr. Meigs presented the petition of the inhabitants of Marietta, praying a proportion of the proceeds of public lands within the state of Ohio may be appropriated to the improvement of the great post road leading from Western Port on the Potomac, to the Ohio, at Marietta; and the petition was read.

The bill making an appropriation for the purpose therein mentioned was read the second time.

A message from the House of Representatives, by Mr. Magruder, their Clerk:

*Mr. President:* The House of Representatives concur in the amendments of the Senate to the bill, entitled "An act for the appointment of an additional judge, and ex-

tending the right of suffrage to the citizens of Madison county, in the Mississippi territory." The President of the United States approved and signed, on the 24th instant, the following acts: "An act further to provide for the refugees from the British provinces of Canada and Nova Scotia, and for other purposes;" "An act to prescribe the mode in which application shall be made for the purchase of land at the several land offices, and for the relief of Joab Garret." And he withdrew.

The Senate resumed, as in committee of the whole, the consideration of the bill for the relief of Joseph Summerl, Simon Philipson, William Hamon, Archibald M'Call, and Isaac Clason, together with the report of the select committee thereon; and

On the question to agree to the amendment, as follows:

After the word "place," in the thirty-sixth line, insert, "to Joseph Shoemaker, for one hundred and two hogsheads and four barrels of sugar, exported from Philadelphia for Bordeaux, on the eighth day of August, one thousand eight hundred and five, on which he states, that the taking said oath and giving said bond were prevented by a belief that the captain had cleared out on the twelfth, and that he had until the twenty-second to take said oath and give said bond; and from the pressure of business at the custom-house on the seventeenth (on which day he appeared) having prevented the officers of the customs from being enabled to attend to his business; that believing he had until the twenty-second, notwithstanding he was within the intermediate time, he did return to the custom-house within the said time, the twenty-second of the month, for the purpose of taking the oath, and signing the bond required, when he was informed that the ship had cleared on the eighth, and that he was thereby precluded:"

It was determined in the affirmative,

{ Yeas . . . . .	16,
{ Nays . . . . .	14.

On motion, by Mr. Bradley,

The yeas and nays having been required by one-fifth of the Senators present,

Those who voted in the affirmative, are,

Messrs. Campbell, Champlin, German, Giles, Gilman, Goodrich, Gregg, Hillhouse, Horsey, Lloyd, Mathewson, Meigs, Pickering, Reed, Smith, of Maryland, Smith, of New York.

Those who voted in the negative, are,

Messrs. Anderson, Bradley, Condit, Crawford, Franklin, Gaillard, Lambert, Leib, Parker, Robinson, Sumter, Tait, Turner, and Whiteside.

And, after debate,

On motion, by Mr. Leib,

The further consideration of the bill was postponed until to-morrow.

Agreeably to notice, Mr. Campbell asked and obtained leave to bring in a bill for altering the time for holding the district court in the state of Ohio; and the bill was read.

*Ordered.* That it pass to the second reading.

The Senate resumed the consideration of the motion made yesterday, "That a committee be appointed to inquire into the expediency of allowing additional rations to the commanders of separate posts, and to define what shall constitute a command to entitle an officer to additional rations, and that the committee have leave to report by bill or otherwise;" and having agreed thereto,

*Ordered, That Messrs. Leib, Pickering, and Smith, of Maryland, be the committee.*

The several orders of the day having been postponed until to-morrow,

On motion,

The Senate adjourned to 11 o'clock to-morrow morning.

WEDNESDAY, FEBRUARY 28, 1810.

The Vice President being absent, the Senate proceeded to the election of a President pro tempore, as the constitution provides, and the Honorable John Gaillard was appointed.

*Ordered*, That the Secretary wait on the President of the United States, and acquaint him that the Senate have, in the absence of the Vice President, elected the Honorable John Gaillard President of the Senate pro tempore.

*Ordered,* That the Secretary make a similar communication to the House of Representatives.

The bill for altering the time for holding the district court in the state of Ohio was read the second time.

It was agreed that the resolutions submitted on the 31st January, on the subject of convoys, be referred to the committee appointed on the 1st of December, on so much

of the message of the President of the United States, as respects the relations existing between the United States and Great Britain and France.

Mr. Whiteside, from the committee, reported that they had examined and found duly enrolled a bill, entitled "An act making appropriations for the support of the military establishment of the United States for the year 1810;" the bill, entitled "An act making appropriations for the support of the navy of the United States for the year 1810;" also, a bill, entitled "An act for the appointment of an additional judge, and extending the right of suffrage to the citizens of Madison county, in the Mississippi territory."

A message from the House of Representatives, by Mr. Magruder, their Clerk:

*Mr. President:* The Speaker of the House of Representatives having signed several enrolled bills, I am directed to bring them to the Senate for the signature of their President. And he withdrew.

The President signed the three enrolled bills last reported to have been examined, and they were delivered to the committee, to be laid before the President of the United States.

The Senate resumed, as in committee of the whole, the consideration of the bill for the relief of Joseph Summerl, Simon Philipson, William Hamon, Archibald M'Call, and Isaac Clason, together with the report of the select committee thereon.

On motion, by Mr. Leib,

To postpone the further consideration thereof to the first Monday in December next,

It was determined in the negative,     $\left\{ \begin{array}{l} \text{Yeas . . . . . 13,} \\ \text{Nays . . . . . 18.} \end{array} \right.$

On motion, by Mr. Leib,

The yeas and nays having been required by one-fifth of the Senators present,

Those who voted in the affirmative, are,

Messrs. Anderson, Bradley, Condit, Crawford, Franklin, Gregg, Lambert, Leib, Robinson, Sumter, Tait, Turner, and Whiteside.

Those who voted in the negative, are,

Messrs. Bayard, Campbell, Champlin, Gaillard, German, Giles, Gilman, Goodrich, Hillhouse, Horsey, Lloyd, Meigs, Parker, Pickering, Pope, Reed, Smith, of Maryland, and Smith, of New York.

On motion, by Mr. Bradley,

*Resolved,* That the bill be recommitted to a select committee, to consist of five members, further to consider and report thereon; and,

*Ordered,* That Messrs. Bradley, Smith, of Maryland, Lloyd, Leib, and Giles, be the committee.

The Senate resumed, as in committee of the whole, the bill making an appropriation for the purpose therein mentioned.

On the question, Shall this bill be engrossed, and read a third time?

It was determined in the affirmative,     $\left\{ \begin{array}{l} \text{Yeas . . . . . 16,} \\ \text{Nays . . . . . 14.} \end{array} \right.$

On motion, by Mr. Bayard,

The yeas and nays having been required by one-fifth of the Senators present,

Those who voted in the affirmative, are,

Messrs. Bradley, Condit, Crawford, Franklin, Gaillard, Giles, Gregg, Lambert, Leib, Meigs, Pope, Robinson, Sumter, Tait, Turner, and Whiteside.

Those who voted in the negative, are,

Messrs. Anderson, Bayard, Campbell, Champlin, German, Gilman, Goodrich, Hillhouse, Horsey, Lloyd, Parker, Pickering, Reed, and Smith, of New York.

The Senate resumed, as in committee of the whole, the bill, entitled "An act to prevent the issuing of sea-letters, except to certain vessels;" and, after debate,

On motion, by Mr. Bayard,

The further consideration thereof was postponed until to-morrow;

To which time the several orders of the day were postponed.

On motion,

The Senate adjourned to 11 o'clock to-morrow morning.

#### FRIDAY, MARCH 2, 1810.

Mr. Gilman, from the committee, reported the bill making an appropriation for the purpose therein mentioned, correctly engrossed.

The bill for the relief of Charles Minifie was read the second time.

On motion, by Mr. Anderson,

The further consideration thereof was postponed until Monday next.

I now lay before you copies of the treaties concluded with the Delaware, Pottawatomie, Miami, Eel River, and Wea tribes of Indians, for the extinguishment of their title

to the lands therein described; and I recommend to the consideration of Congress the making provision by law for carrying them into execution.

**JAMES MADISON.**

*February 28, 1810.*

The message was read.

*Ordered, That it lie for consideration.*

On motion,

On motion,  
The Senate adjourned to 11 o'clock on Monday morning; to which time the several orders of the day were postponed.

MONDAY, MARCH 5, 1810.

After the consideration of the Executive business,

The President communicated a letter from the Governor of the state of Ohio, with a copy of a resolution of the General Assembly of that state, approbating the measures of the general government; which were read.

The President also communicated the report of the Postmaster General, made in obedience to the act of the 21st April, 1808, concerning public contracts; together with his report on unproductive routes, pursuant to the 30th section of the act to establish the post office; and the reports were read.

Ordered, That they severally lie for consideration.

The Senate resumed, as in committee of the whole, the bill authorizing a subscription on behalf of the United States to the capital stock of the Chesapeake and Delaware and Ohio Canal Companies; and,

On motion, by Mr. Bayard,

On motion, by Mr. Bayard,  
*Ordered*, That the further consideration thereof be postponed until Monday next.

The Senate resumed, as in committee of the whole, the bill, entitled "An act providing for the third census or enumeration of the inhabitants of the United States," together with the report of the select committee thereon; and having agreed to the report of the committee, the President reported the bill to the House amended accordingly; and the bill having been further amended,

On the question, Shall this bill be read a third time as amended?

It was determined in the affirmative.

It was determined in the affirmative.  
The Senate resumed the second reading of the bill for the relief of Charles Minifie.

On the question, Shall this bill be engrossed and read a third time?

It was determined in the affirmative.

The Senate resumed, as in committee of the whole, the bill, entitled "An act to extend the time for locating Virginia military land warrants, and for returning the surveys thereon to the Secretary for the Department of War," together with the report of the select committee thereon; and the report was agreed to; and the President reported the bill to the House accordingly.

On the question, Shall this bill be read a third time as amended?

It was determined in the affirmative.

The Senate resumed the bill to add to the officers of the Treasury a superintendent of the public lands of the United States.

On motion, by Mr. Gregg,

On motion, by Mr. Gregg,  
The further consideration thereof was postponed until Thursday next.

A message from the House of Representatives, by Mr. Magruder, their Clerk:

*Mr. President:* The House of Representatives disagree to the amendments of the Senate to the bill, entitled "An act respecting the commercial intercourse between the United States and Great Britain and France, and for other purposes." The President of the United States, on the 2d instant, approved and signed the following acts: "An act making appropriations for the support of the military establishment of the United States for the year 1810;" "An act for the appointment of an additional judge, and extending the right of suffrage to the citizens of Madison county, in the Mississippi territory;" also, "An act making appropriations for the support of the navy of the United States for the year 1810." And he withdrew.

The Senate proceeded to consider the resolution of the House of Representatives, disagreeing to their amendments to the bill, entitled "An act respecting the commercial intercourse between the United States and Great Britain and France, and for other purposes."

On motion, by Mr. Leib,

On motion, by Mr. Leeb,  
To postpone the consideration thereof to this day week,

To postpone the consideration thereof to this day week,  
It was determined in the negative, { Yeas . . . . . 10,  
{ Nays . . . . . 21.

On motion, by Mr. Hillhouse,

The yeas and nays having been required by one-fifth of the Senators present,

Those who voted in the affirmative, are,

Messrs. Bayard, Brent, Campbell, Champlin, German, Gregg, Leib, Robinson, Smith, of Maryland, and Whiteside.

Those who voted in the negative, are,

Messrs. Anderson, Bradley, Condit, Crawford, Franklin, Gaillard, Gilman, Goodrich, Hillhouse, Horsey, Lambert, Lloyd, Meigs, Parker, Pickering, Pope, Reed, Smith, of New York, Sumter, Tait, and Turner.

A motion was made, by Mr. Anderson, to adhere to the amendments;

Whereupon,

A motion was made, by Mr. Pope, to postpone the further consideration thereof until to-morrow; and,

On motion, by Mr. Smith, of Maryland,

The Senate adjourned to 11 o'clock to-morrow morning; to which time the several orders of the day were postponed.

## TUESDAY, MARCH 6, 1810.

Mr. Gilman, from the committee, reported the amendments to the bill, entitled "An act to extend the time for locating the Virginia military land warrants, and for returning the surveys thereon to the Secretary of the Department of War," correctly engrossed; and the bill was read the third time as amended.

*Resolved*, That this bill pass with amendments.

*Ordered*, That the Secretary request the concurrence of the House of Representatives in the amendments.

Mr. Gilman, from the committee, reported the amendments to the bill, entitled "An act providing for the third census or enumeration of the inhabitants of the United States," correctly engrossed; and the bill was read the third time as amended.

On motion, by Mr. Campbell,

*Resolved*, That this bill be recommitted to a select committee, further to consider and report thereon. And

*Ordered*, That Messrs. Campbell, Pope, and Anderson, be the committee.

Mr. Gilman, from the committee, also reported the bill for the relief of Charles Minifie correctly engrossed; and the bill was read the third time.

*Resolved*, That this bill pass, and that the title thereof be "An act for the relief of Charles Minifie."

*Ordered*, That the Secretary request the concurrence of the House of Representatives in this bill.

Mr. Smith, of Maryland, from the committee to whom was referred so much of the message of the President of the United States as relates to an effectual organization of the militia of the United States, made report; which was read, and

*Ordered*, To lie for consideration.

Mr. Meigs presented the petition of the citizens of the county of Athens, in the state of Ohio, praying a law to make and establish a permanent national road, leading from the seat of the federal government through Clarksburgh to the Ohio, striking the state near the mouth of the Muskingum river; and the petition was read.

On motion, by Mr. Meigs,

*Resolved*, That it be referred to a select committee, together with the petition of the inhabitants of Marietta, presented on the 27th February, to consider and report thereon; and

*Ordered*, That Messrs. Meigs, Anderson, and Bradley, be the committee.

The Senate resumed the resolution of the House of Representatives disagreeing to their amendments to the bill, entitled "An act respecting the commercial intercourse between the United States and Great Britain and France, and for other purposes."

Mr. Anderson had leave to withdraw his motion made yesterday to adhere to the amendments; and,

On motion, by Mr. Anderson,

*Resolved*, That the Senate insist on their amendments to the said bill, and ask a conference on the disagreeing votes of the two Houses.

*Ordered*, That Messrs. Anderson, Leib, and Smith, of Maryland, be the managers at the said conference on the part of the Senate.

*Ordered*, That the Secretary notify the House of Representatives accordingly.

Mr. Bradley submitted the following motion for consideration:

*Resolved*, That a committee be appointed to inquire whether any, and what, fur-

ther provisions are necessary and expedient in relation to the intercourse between the United States and the Barbary powers, with leave to report by bill or otherwise.

The Senate resumed the bill relative to the district court of the United States established in the territory of Orleans, as amended; and,

On motion, by Mr. Bayard,

The further consideration thereof was postponed until to-morrow.

After the consideration of the Executive business,

The Senate adjourned to 11 o'clock to-morrow morning, to which time the several orders of the day were postponed.

### WEDNESDAY, MARCH 7, 1810.

Mr. Leib, from the committee to whom was recommitted the bill to incorporate a company for making certain turnpike roads in the District of Columbia, reported it with amendments; which were read.

Mr. Smith, of Maryland, stated that he had received a resolution of the legislature of the state of Maryland, instructing their Senators, and requesting their representatives in Congress, to use all proper means and exertions to procure the passing a law establishing weights and measures; which was read.

The Senate resumed the motion made yesterday, "That a committee be appointed to inquire whether any and what further provisions are necessary and expedient in relation to the intercourse between the United States and the Barbary powers, with leave to report by bill or otherwise;" and, having agreed thereto,

*Ordered*, That Messrs. Bradley, Anderson, and Smith, of Maryland, be the committee.

A message from the House of Representatives, by Mr. Magruder, their Clerk:

*Mr. President*: The House of Representatives insist on their disagreement to the amendments of the Senate to the bill, entitled "An act respecting the commercial intercourse between the United States and Great Britain and France, and for other purposes." They agree to the conference proposed on the subject, and have appointed managers on their part.

The House of Representatives concur in the amendments of the Senate to the bill, entitled "An act to extend the time for locating Virginia military land warrants, and for returning the surveys to the Secretary for the Department of War." And he withdrew.

Mr. Bradley, from the committee to whom was recommitted the bill, entitled "An act to authorize the removal of slaves from one part of the District of Columbia to another, reported the bill with amendments; which were read.

Mr. Bradley gave notice that to-morrow he should ask leave to bring in a bill for the preservation of peace and maintenance of the authority of the United States, in the ports, harbors, and waters, under their jurisdiction.

The Senate resumed, as in committee of the whole, the bill relative to the district court established in the territory of Orleans, as amended; and, after debate,

On motion, by Mr. Goodrich,

The further consideration thereof was postponed until to-morrow.

Mr. Campbell, from the committee to whom was referred the bill for altering the time for holding the district court in Ohio, reported it without amendment.

On the question, Shall this bill be engrossed and read a third time?

It was determined in the affirmative.

On motion,

The Senate adjourned to 11 o'clock to-morrow morning, to which time the several orders of the day were postponed.

### THURSDAY, MARCH 8, 1810.

Mr. Gilman, from the committee, reported the bill for altering the time for holding the district court in Ohio correctly engrossed; and the bill was read the third time.

On motion, by Mr. Whiteside,

*Resolved*, That this bill be recommitted to a select committee, further to consider and report thereon.

*Ordered*, That Messrs. Whiteside, Campbell, and Pope, be the committee.

Agreeably to notice, Mr. Bradley asked and obtained leave to bring in a bill for the preservation of peace and maintenance of the authority of the United States in the ports, harbors, and waters, under their jurisdiction, and the bill was read.

*Ordered*, That it pass to the second reading.

Mr. Leib submitted the following resolutions for consideration:

*Resolved*, That the President of the United States be required to instruct our minister at the court of Great Britain to demand of the British government an immediate compliance with the arrangement made by their minister, Mr. Erskine, with this government, comprising atonement for the attack upon the frigate Chesapeake, and a relinquishment of the orders in council; and that, on failure to execute that arrangement, our minister be directed forthwith to return to the United States.

*Resolved*, That the President of the United States be required to instruct our minister at the court of Great Britain to demand of the British government an immediate release of all American citizens impressed into the British service, and that, on failure or refusal to make such release, our minister be directed forthwith to return to the United States.

*Resolved*, That, on the failure or refusal of the government of Great Britain, after demand made by our minister to carry into effect the arrangement made by Mr. Erskine, the British minister, or, on the refusal or failure to release all American citizens impressed into the British service, the President of the United States be authorized to issue letters of marque and reprisal against the ships and vessels belonging to the government and subjects of Great Britain."

The Senate resumed, as in committee of the whole, the bill to incorporate a company for making certain turnpike roads in the District of Columbia, together with the report of the select committee thereon, and the report was agreed to; and the bill having been further amended, the President reported it to the house accordingly.

On the question, Shall this bill be engrossed and read a third time as amended?

It was determined in the affirmative.

Mr. Bayard, from the committee to whom was recommitted the bill, entitled "An act to prevent the issuing of sea-letters, except to certain vessels," reported the bill with amendments; which were read.

The Senate resumed, as in committee of the whole, the bill relative to the district court established in the territory of Orleans; and the amendments reported by the select committee having been agreed to, the President reported the bill to the house accordingly.

On the question to agree to so much of the report of the committee of the whole as goes to strike out the first section of the original bill:

It was determined in the affirmative, { Yeas . . . . . 18,  
Nays . . . . . 10.

On motion, by Mr. Crawford,

The yeas and nays having been required by one-fifth of the Senators present,

Those who voted in the affirmative, are,

Messrs. Bradley, Brent, Champlin, Condit, Crawford, Franklin, Gaillard, German, Lambert, Leib, Lloyd, Meigs, Parker, Reed, Smith, of New York, Sumter, Tait, and Turner.

Those who voted in the negative, are,

Messrs. Anderson, Bayard, Campbell, Clay, Goodrich, Gregg, Horsey, Pope, Smith, of Maryland, and Whiteside.

And the other amendments agreed to as in committee of the whole, having been adopted,

On the question, Shall this bill be engrossed and read a third time as amended?

It was determined in the affirmative.

On motion,

The Senate adjourned to 11 o'clock to-morrow morning, to which time the several orders of the day were postponed.

#### FRIDAY, MARCH 9, 1810.

Mr. Gilman, from the committee, reported the bill to incorporate a company for making certain turnpike roads in the District of Columbia, correctly engrossed; and the bill was read the third time.

*Resolved*, That this bill pass, and that the title thereof be "An act to incorporate a company for making certain turnpike roads in the District of Columbia."

*Ordered*, That the Secretary request the concurrence of the House of Representatives in this bill.

Mr. Gilman, from the committee, also reported the bill relative to the district court of the United States established in the territory of Orleans, correctly engrossed; and the bill was read the third time and passed.

On motion, by Mr. Bradley,

It was agreed, by unanimous consent, to reconsider the vote, and to amend the bill as follows: in the second line, after the word "court," insert "of the district of Orleans."

*Resolved*, That this bill pass, and that the title thereof be "An act relative to the district court of the United States established in the territory of Orleans."

*Ordered*, That the Secretary request the concurrence of the House of Representatives in this bill.

Mr. Campbell, from the committee to whom was recommitted the bill, entitled "An act providing for the third census, or enumeration of the inhabitants of the United States," reported the bill with amendments.

Mr. Champlin gave notice that, on Monday, he should ask leave to bring in a bill for extending the benefit of a drawback of the duties upon exportation on all goods, wares, and merchandise, subject thereto, that may be transported by land from the district of Newport to the port of Boston, and from said Boston to said Newport.

On motion, by Mr. Bradley,

That the Senate take into consideration the resolutions submitted yesterday, respecting instructions to our minister at the court of Great Britain—

On motion, by Mr. Leib,

It was agreed that they lie on the table.

Mr. Campbell presented the petition of the inhabitants of Chillicothe, in the state of Ohio, praying a proportion of the nett proceeds of the public lands in the state of Ohio may be appropriated for the improvement of a great post road leading directly from the Potomac to Marietta, on the Ohio, and thence through Athens and Chillicothe, in a western direction; which petition was read.

*Ordered*, That it be referred to the committee to whom the petition of the citizens of the county of Athens and state of Ohio, presented by Mr. Meigs, on the 6th instant, was referred, to consider and report thereon.

The Senate resumed the report of the committee to whom was referred so much of the message of the President of the United States as relates to an effectual organization of the militia of the United States; and

*Resolved*, That the committee be discharged from the further consideration of the subject.

The Senate resumed, as in committee of the whole, the bill, entitled "An act to prevent the issuing of sea-letters, except to certain vessels," together with the report of the select committee thereon, and the report was agreed to; and the President reported the bill to the House accordingly.

On the question, Shall this bill be read a third time as amended?

It was determined in the affirmative.

The Senate resumed, as in committee of the whole, the bill, entitled "An act to authorize the removal of slaves from one part of the District of Columbia to another," together with the report of the select committee thereon.

On motion, by Mr. Bradley,

The further consideration thereof was postponed until Monday next.

After the consideration of the Executive business,

The Senate adjourned to 11 o'clock on Monday morning; to which time the several orders of the day were postponed.

### MONDAY, MARCH 12, 1810.

Mr. Gilman, from the committee, reported the amendments to the bill, entitled "An act to prevent the issuing of sea-letters, except to certain vessels," correctly engrossed; and the bill was read the third time as amended.

*Resolved*, That this bill pass with amendments.

*Ordered*, That the Secretary request the concurrence of the House of Representatives in the amendments.

Mr. Leib, on request, had leave to withdraw his resolutions submitted for consideration on the eighth instant.

Mr. Giles, from the committee to whom was referred, on the 3d of January last, the message of the President of the United States of that date, reported, in part, a bill appropriating a sum of money for procuring munitions of war, and for other purposes; and the bill was read.

*Ordered*, That it pass to the second reading.

Mr. Giles, from the same committee, also reported, in part, a bill for the establishment of a quartermaster's department; and the bill was read.

*Ordered*, That it pass to the second reading.

Mr. Giles also communicated sundry documents from the Secretary of War, on the subject of the before mentioned bills; which were read.

On motion, by Mr. Giles,

*Ordered*, That they be printed for the use of the Senate, with the exception of the return of ordnance and military stores.

Mr. Giles presented the memorial of the legislature of the territory of Orleans, stating the inconveniences resulting from their form of government, and praying the territory may be admitted a member of the Union, for reasons stated at large in the memorial; which was read.

On motion, by Mr. Giles,

*Resolved*, That it be referred to a select committee, to consist of five members, to consider and report thereon; and

*Ordered*, That Messrs. Giles, Bradley, Crawford, Goodrich, and Gregg, be the committee.

A message from the House of Representatives, by Mr. Magruder, their Clerk:

*Mr. President*: The House of Representatives have passed a bill, entitled "An act to amend an act, entitled 'An act for the establishment of a turnpike road in the county of Alexandria, in the District of Columbia,'" also, a bill, entitled "An act to make public a road in Washington county, in the District of Columbia," in which bills they request the concurrence of the Senate. And he withdrew.

The two bills last brought up for concurrence were read.

*Ordered*, That they severally pass to the second reading.

The Senate resumed, as in committee of the whole, the bill, entitled "An act providing for the third census, or enumeration of the inhabitants of the United States," together with the report thereon of the committee to whom the bill was recommitted; and the report was agreed to, and the President reported the bill to the House accordingly.

On motion, by Mr. Smith, of Maryland,

The bill was read the third time, by unanimous consent, as amended.

*Resolved*, That this bill pass with amendments.

*Ordered*, That the Secretary request the concurrence of the House of Representatives in the amendments.

The Senate resumed, as in committee of the whole, the bill, entitled "An act to authorize the removal of slaves from one part of the District of Columbia to another," together with the report of the select committee thereon.

On motion, by Mr. Smith, of Maryland,

*Ordered*, That the further consideration thereof be postponed until the first Monday in December next.

*Ordered*, That the Secretary notify the House of Representatives accordingly.

The bill for the preservation of peace and maintenance of the authority of the United States, in the ports, harbors, and waters, under their jurisdiction, was read the second time.

On motion, by Mr. Bradley,

*Resolved*, That it be referred to a select committee, to consider and report thereon; and,

*Ordered*, That Messrs. Bradley, Crawford, and Giles, be the committee.

Mr. Bayard submitted the following motion for consideration:

*Resolved*, That the report of the Secretary of the Treasury, of the 13th of December, 1790, and also the report of the Secretary of the Treasury, of the 2d of March, 1809, on the subject of a national bank, be referred to a select committee; and that the committee have leave to report by bill or otherwise.

Mr. Brent gave notice that to-morrow he should ask leave to bring in a bill to prevent the future migration of free negroes to the District of Columbia.

After the consideration of the Executive business,

The Senate adjourned to 11 o'clock to-morrow morning; to which time the several orders of the day were postponed.

## TUESDAY, MARCH 13, 1810.

Mr. Whiteside, from the committee, reported that they had examined and found duly enrolled the bill, entitled "An act to extend the time for locating Virginia military land warrants, and for returning the surveys thereon to the Secretary of the Department of War."

The bill, entitled "An act to make public a road in Washington county, in the District of Columbia," was read the second time.

On motion, by Mr. Lloyd,

*Resolved*, That it be referred to a select committee, to consider and report thereon.

*Ordered*, That Messrs. Lloyd, Smith, of Maryland, and Tait, be the committee.

The bill, entitled "An act to amend an act, entitled 'An act for the establishment of a turnpike company in the county of Alexandria, in the District of Columbia,'" was read the second time.

On motion, by Mr. Smith, of Maryland,

*Resolved*, That it be referred to a select committee, to consider and report thereon.

*Ordered*, That Messrs. Brent, Smith, of Maryland, and Franklin, be the committee.

The bill for the establishment of a quartermaster's department was read the second time.

The bill appropriating a sum of money for procuring munitions of war, and for other purposes, was read the second time.

Mr. Bradley, from the committee to whom was referred the bill granting a right of pre-emption to purchasers of public lands in certain cases, reported the bill with amendments; which were read.

The Senate resumed the motion made yesterday, that the report of the Secretary of the Treasury, of the 13th of December, 1790, and also the report of the Secretary of the Treasury of the 2d of March, 1809, on the subject of a national bank, be referred to a select committee, and that the committee have leave to report by bill or otherwise; and having agreed thereto,

*Ordered*, That Messrs. Bayard, Crawford, Anderson, Smith, of Maryland, and Franklin, be the committee.

Mr. Whiteside, from the committee to whom was recommitted the bill for altering the time for holding the district court in Ohio, reported amendments; which were read.

The Senate resumed, as in committee of the whole, the bill, entitled "An act for the relief of Jared Shattuck;" and, after debate,

On motion, by Mr. Bradley,

The further consideration thereof was postponed until Monday next.

The Senate resumed the bill to add to the officers of the Treasury a superintendent of the public lands of the United States.

On motion, by Mr. Gregg,

The further consideration thereof was postponed until Friday next.

The Senate resumed, as in committee of the whole, the bill for the improvement of the United States by public roads and canals, together with the report of the select committee thereon; and the report of the select committee was disagreed to.

On motion, by Mr. Anderson,

The further consideration of the bill was postponed until to-morrow.

On motion,

The Senate adjourned to 11 o'clock to-morrow morning; to which time the several orders of the day were postponed.

### WEDNESDAY, MARCH 14, 1810.

Mr. Leib, from the committee appointed the 27th of February on the subject, reported a bill to alter and amend the act, entitled "An act fixing the military peace establishment of the United States;" and the bill was read.

*Ordered*, That it pass to the second reading.

The Senate resumed, as in committee of the whole, the bill for altering the time for holding the district court in Ohio, together with the report of the select committee thereon, and the report was agreed to; and the President reported the bill to the House amended accordingly.

On the question, Shall this bill be read a third time as amended?

It was determined in the affirmative.

The Senate resumed, as in committee of the whole, the bill granting a right of pre-emption to purchasers of public lands in certain cases, together with the report of the select committee thereon.

On motion, by Mr. Bradley,

It was agreed that the further consideration thereof be the order of the day for Monday next.

The Senate resumed, as in committee of the whole, the bill appropriating a sum of money for procuring munitions of war, and for other purposes.

On motion, by Mr. Pope, to amend the bill,

It was agreed that the further consideration thereof be postponed until to-morrow.

Mr. Anderson, from the managers at the conference on the disagreeing votes of the two Houses on the bill, entitled "An act respecting the commercial intercourse between the United States and Great Britain and France, and for other purposes," reported that they could come to no agreement with the managers on the part of the House of Representatives.

After the consideration of the Executive business,  
The Senate adjourned to 11 o'clock to-morrow morning; to which time the several orders of the day were postponed.

FRIDAY, MARCH 16, 1810.

Mr. Whiteside, from the committee, reported that they yesterday laid before the President of the United States the enrolled bill, entitled "An act to extend the time for locating Virginia military land warrants, and for returning the surveys thereon to the Secretary of the Department of War."

The Senate proceeded to consider the amendment of the House of Representatives on the amendments of the Senate to the bill, entitled "An act to prevent the issuing of sea-letters, except to certain vessels."

On motion, by Mr. Bayard,

The further consideration thereof was postponed until to-morrow.

The President communicated a report of the Secretary for the Department of the Treasury, with a statement of the emoluments of the officers employed in the collection of the customs, for the year 1809; which were read; and

*Ordered, That they lie for consideration.*

The bill for altering the time for holding the district court in Ohio was read the third time.

*Resolved*, That this bill pass, and that the title thereof be "An act for altering the time for holding the district court in Ohio."

*Ordered*, That the Secretary request the concurrence of the House of Representatives in this bill.

The Senate resumed the bill to alter and amend the act, entitled "An act fixing the military peace establishment of the United States;" and

On motion, by Mr. Leib,

It was agreed that the further consideration thereof be the order of the day for Monday next.

The following written message was received from the President of the United States, by Mr. Colles, his secretary:

*To the Senate and House of Representatives of the United States:*

A treaty having been entered into and duly ratified with the Kickapoo tribe of Indians, for the extinguishment of their title to certain lands within the Indiana territory, involving conditions which require legislative provision, I submit copies thereof to both branches for consideration.

## JAMES MADISON.

*March 15, 1810.*

The message was read.

**Ordered, That it lie for consideration.**

After the consideration of the Executive business,

The Senate adjourned to 11 o'clock on Monday morning; to which time the several orders of the day were postponed.

**MONDAY, MARCH 19, 1810.**

The Senate resumed, as in committee of the whole, the bill granting a right of pre-emption to purchasers of public lands in certain cases, together with the report of the select committee thereon; and, after debate,

On motion, by Mr. Anderson,

It was agreed that the further consideration thereof be the order of the day for tomorrow.

The Senate resumed the consideration of the report of the managers at the conference on their part, on the bill, entitled "An act respecting the commercial intercourse between the United States and Great Britain and France, and for other purposes."

On motion, by Mr. Anderson,

That the Senate adhere to their amendments to the said bill,

A motion was made, by Mr. Leib, to postpone the further consideration thereof until Monday next;

Which was determined in the negative,  $\left\{ \begin{array}{l} \text{Yeas} \dots\dots\dots 15, \\ \text{Nays} \dots\dots\dots 18. \end{array} \right.$

Ordered, That Messrs. Franklin, Anderson, Goodrich, Gregg, and Meigs, be the committee.

The bill, entitled "An act for the relief of Elizabeth Hamilton," was read the second time.

On motion, by Mr. Leib,

*Resolved*, That it be referred to a select committee, to consider and report thereon.

*Ordered*, That Messrs. Crawford, Bradley, and Franklin, be the committee.

The bill, entitled "An act for the relief of Amey Dardin, widow and representative of David Dardin, deceased," was read the second time.

On motion, by Mr. Giles,

*Resolved*, That it be referred to a select committee, to consider and report thereon.

*Ordered*, That Messrs. Bradley, Giles, and Hillhouse, be the committee.

The resolution of the House of Representatives for the appointment of a joint committee to consider and report the business necessary to be acted on during the present session, and when it may be expedient to close the same, was read the second time.

*Ordered*, That it pass to the third reading.

The Senate resumed the consideration of the amendment of the House of Representatives on the amendment of the Senate to the bill, entitled "An act to prevent the issuing of sea-letters, except to certain vessels;" and agreed thereto, with amendments.

*Ordered*, That the Secretary request the concurrence of the House of Representatives therein.

Mr. Lloyd, from the committee to whom was referred the bill, entitled "An act to make public a road in Washington county, in the District of Columbia," reported it with amendments, which were read.

On request, Mr. Parker had leave of absence, after the 21st instant, for the remainder of the session.

The Senate resumed, as in committee of the whole, the bill for the improvement of the United States, by public roads and canals; and, after progress,

A motion was made by Mr. Bradley, to postpone the further consideration thereof to the first Monday in December next,

Which was determined in the negative,  $\left\{ \begin{array}{l} \text{Yeas . . . . . 11,} \\ \text{Nays . . . . . 19.} \end{array} \right.$

On motion, by Mr. Clay,

The yeas and nays having been required by one-fifth of the Senators present,

Those who voted in the affirmative, are,

Messrs. Bradley, Champlin, Condit, Gilman, Goodrich, Hillhouse, Lambert, Mathewson, Pickering, Robinson, and Turner.

Those who voted in the negative, are,

Messrs. Anderson, Bayard, Brent, Campbell, Clay, Crawford, Franklin, Gaillard, German, Gregg, Horsey, Leib, Meigs, Pope, Smith, of Maryland, Smith, of New York, Sumter, Tait, and Whiteside.

Mr. Pope, from the conferees on the part of the Senate, on the bill, entitled "An act providing for the third census or enumeration of the inhabitants of the United States," made report:

Whereupon,

*Resolved*, That the Senate recede from their second, sixth, and seventh amendments; that the Senate recede from the fourth amendment with an amendment, to wit: strike out "January," and insert "March."

*Ordered*, That the Secretary notify the House of Representatives accordingly.

On motion,

The Senate adjourned to 11 o'clock to-morrow morning; to which time the several orders of the day were postponed.

### WEDNESDAY, MARCH 21, 1810.

After the consideration of the Executive business,

The following written message, yesterday received from the President of the United States, by Mr. Coles, his Secretary, was read:

*To the Senate and House of Representatives of the United States:*

I lay before Congress a return of the militia of the United States, as received by the Department of War, from the several states and territories.

JAMES MADISON.

March 20, 1810.

*Ordered*, That the message and documents lie for consideration.

On motion, by Mr. Giles,

*Ordered*, That the petition of Sarah Easton and Dorothy Jones, daughters of Robert H. Harrison, Esq. deceased, be referred to the committee who have under consideration the bill, entitled "An act for the relief of Elizabeth Hamilton," to consider and report thereon.

Mr. Brent presented the petition of Fontaine Maury, of the city of New York, praying the benefit of drawback on three hundred and eighty bags of coffee, although the formalities of the laws (with no intention of fraud, however, but from the ignorance of the captain) have not been complied with, as is stated in the petition; which was read.

On motion, by Mr. Brent,

*Resolved*, That it be referred to a select committee, to consider and report thereon.

*Ordered*, That Messrs. Brent, Gaillard, and Gregg, be the committee.

Mr. Brent presented the petition of George Andrews and others, inhabitants of the District of Columbia, praying Congress to empower them to form a company for making a turnpike road from the termination of Vermont avenue to a point where it shall intersect the boundary line of the district; and the petition was read.

On motion, by Mr. Brent,

*Resolved*, That it be referred to a select committee, to consider and report thereon.

*Ordered*, That Messrs. Brent, Condit, and Mathewson, be the committee.

Mr. Brent also presented the petition of Urban Guillet and his associates, known under the name of "The Society of La Trappe," now resident in the Illinois territory, stating that their association has for its peculiar object the promotion of useful literature, husbandry, and mechanical arts; and praying confirmation of the title to certain parcels of land mentioned in the petition; which was read.

On motion, by Mr. Brent,

*Resolved*, That it be referred to a select committee, to consider and report thereon.

*Ordered*, That Messrs. Brent, Giles, and Gregg, be the committee.

On motion, by Mr. Gregg,

*Ordered*, That the report of the Secretary of State on the petition of Jared Shattuck, be printed for the use of the Senate.

The resolution of the House of Representatives for the appointment of a joint committee to consider and report the business necessary to be acted on during the present session, and when it may be expedient to close the same, was read the third time and agreed to.

*Ordered*, That Messrs. Gregg, Crawford, Clay, Franklin, and Anderson, be the committee on the part of the Senate.

*Ordered*, That the Secretary notify the House of Representatives accordingly.

A message from the House of Representatives, by Mr. Magruder, their Clerk:

*Mr. President*: The House of Representatives concur in the modification of the fourth amendment of the Senate to the bill, entitled "An act providing for the third census or enumeration of the inhabitants of the United States," which is to insert the word "March" in the place of the word "January;" also, in the amendments of the Senate to the amendments of the House of Representatives to the bill, entitled "An act to prevent the issuing of sea-letters, except to certain vessels."

The House of Representatives have passed a bill, entitled "An act authorizing a detachment from the militia of the United States," in which they desire the concurrence of the Senate. And he withdrew.

The bill last brought up for concurrence was read.

*Ordered*, That it pass to the second reading.

The Senate resumed, as in committee of the whole, the bill for the improvement of the United States by public roads and canals; and the President having reported the bill to the house amended,

A motion was made by Mr. Leib to strike out the first and second articles of the bill, authorizing the subscription of the United States to the stock of the Massachusetts and New Jersey companies, when formed; and

Mr. Anderson called for a division of the question, and it was taken on striking out the first article, authorizing the subscription to the Massachusetts company, and

Determined in the negative,	} Yeas . . . . . 11, Nays . . . . . 19.

On motion, by Mr. Lloyd,

The yeas and nays having been required by one-fifth of the Senators present,

Those who voted in the affirmative, are,

Messrs. Campbell, Clay, Condit, Crawford, Gaillard, Giles, Gregg, Leib, Meigs, Sumter, and Turner.

Those who voted in the negative, are,  
Messrs. Anderson, Bayard, Champlin, Franklin, German, Gilman, Goodrich, Hillhouse, Horsey, Lambert, Lloyd, Mathewson, Pickering, Pope, Robinson, Smith, of Maryland, Smith, of New York, Tait, and Whiteside.

On the question, to strike out the second article, authorizing the subscription to the New Jersey company:

It was determined in the negative,  $\left\{ \begin{array}{l} \text{Yeas} . . . . . 7, \\ \text{Nays} . . . . . 23. \end{array} \right.$

On motion, by Mr. Mathewson,

The yeas and nays having been required by one-fifth of the Senators present,

Those who voted in the affirmative, are,

Messrs. Campbell, Clay, Giles, Gregg, Leib, Meigs, and Turner.

Those who voted in the negative, are,

Messrs. Anderson, Bayard, Champlin, Condit, Crawford, Franklin, Gaillard, German, Gilman, Goodrich, Hillhouse, Horsey, Lambert, Lloyd, Mathewson, Pickering, Pope, Robinson, Smith, of Maryland, Smith, of New York, Sumter, Tait, and White-  
side.

On motion, by Mr. Giles,

To postpone the further consideration of the bill to the first Monday in December next:

It was determined in the affirmative,

{ Yeas . . . . .	18,
{ Nays . . . . .	11.

On motion, by Mr. Anderson,

The yeas and nays having been required by one-fifth of the Senators present,

Those who voted in the affirmative, are,

Messrs. Champlin, Condit, Crawford, Franklin, Gaillard, Giles, Gilman, Goodrich, Hillhouse, Lambert, Leib, Lloyd, Mathewson, Pickering, Robinson, Smith, of Maryland, Sumter, and Turner.

Those who voted in the negative, are,

Messrs. Anderson, Bayard, Clay, German, Gregg, Horsey, Meigs, Pope, Smith, of New York, Tait, and Whiteside.

Mr. Bayard gave notice that to-morrow he should ask leave to bring in a bill authorizing the sale and grant of a certain quantity of public land to the Chesapeake and Delaware Canal Company; also, a bill to amend the laws within the District of Columbia.

Mr. Pope submitted the following motion for consideration:

*Resolved*, That so much of the report of the Secretary of the Treasury, respecting roads and canals, as relates to the Ohio canal, be referred to a select committee, with leave to report by bill or otherwise.

On motion,

On motion,  
The Senate adjourned to 11 o'clock to-morrow morning; to which time the several orders of the day were postponed.

THURSDAY, MARCH 22, 1810.

Agreeably to notice, Mr. Bayard asked and obtained leave to bring in a bill authorizing the sale and grant of a certain quantity of public land to the Chesapeake and Delaware Canal Company; and the bill was read and passed to the second reading.

Agreeably to notice, Mr. Bayard asked and obtained leave to bring in a bill to amend the laws within the District of Columbia; and the bill was read and passed to the second reading.

The Senate resumed the motion made yesterday "That so much of the report of the Secretary of the Treasury, respecting roads and canals, as relates to the Ohio canal, be referred to a select committee, with leave to report by bill or otherwise;" and, having agreed thereto,

*Ordered*, That Messrs. Pope, Bayard, and Bradley, be the committee.

Mr. Bayard, from the committee appointed on the subject the 13th instant, reported a bill making provision for the establishment of a national bank; and the bill was read.

*Ordered*, That it pass to the second reading.

*Ordered,* That it pass to the second reading.  
The bill, entitled "An act authorizing a detachment from the militia of the United States," was read the second time.

On motion,

On motion,  
*Resolved*, That it be referred to a select committee, to consider and report thereon.

**Ordered,** That Messrs. Bradley, Sumter, and Bayard, be the committee.

On motion, by Mr. Bradley,

*Resolved*, That the President of the United States be requested to cause to be laid before the Senate the whole of the correspondence between the United States and Jared Shattuck, or any agent acting for him, or on his behalf, in respect to Lieutenant Malay's detaining the ship *Mercator*, in the year 1800, and in relation to the judicial investigation that was afterwards suggested, and the stipulations that a final decree should not involve the question whether the United States are responsible.

*Ordered*, That the Secretary lay this resolution before the President of the United States.

The Senate resumed, as in committee of the whole, the bill granting a right of pre-emption to purchasers of public lands in certain cases, together with the report of the select committee thereon; and, after debate,

On motion, by Mr. Clay,

*Resolved*, That it be recommitted to a select committee, further to consider and report thereon.

*Ordered*, That Messrs. Clay, Bradley, and Leib, be the committee.

The Senate resumed, as in committee of the whole, the bill, entitled "An act to make public a road in Washington county, in the District of Columbia," together with the report of the select committee thereon; and, having agreed thereto, the President reported the bill to the House amended accordingly.

On the question, Shall this bill be read a third time as amended?

It was determined in the affirmative.

The following motion was submitted by Mr. Whiteside for consideration:

*Resolved*, That a committee be appointed to inquire whether any further and what provision should be made for the relief of persons imprisoned on process issued from the courts of the United States in civil cases, and that they have leave to report by bill or otherwise.

The Senate resumed, as in committee of the whole, the bill appropriating a sum of money for procuring munitions of war, and for other purposes; and after the consideration of the motions of Mr. Pope and of Mr. Lloyd to amend the bill,

On motion, by Mr. Giles,

The further consideration thereof was postponed until to-morrow.

Mr. Giles, from the committee to whom was recommitted the bill for the establishment of a quartermaster's department, reported it with amendments; which were read.

The Senate resumed, as in committee of the whole, the bill to alter and amend the act, entitled "An act fixing the military peace establishment of the United States;" and, after debate,

On motion,

The Senate adjourned to 11 o'clock to-morrow morning; to which time the several orders of the day were postponed.

### FRIDAY, MARCH 23, 1810.

Mr. Gilman, from the committee, reported the amendments to the bill, entitled "An act to make public a road in Washington county, in the District of Columbia," correctly engrossed; and the bill was read the third time as amended.

*Resolved*, That this bill pass with amendments.

*Ordered*, That the Secretary request the concurrence of the House of Representatives therein.

The bill to amend the laws within the District of Columbia was read the second time.

On motion, by Mr. Bayard,

*Resolved*, That it be referred to a select committee, to consider and report thereon.

*Ordered*, That Messrs. Bayard, Brent, and Pope, be the committee.

Mr. Whiteside, from the committee, reported that they had examined and found duly enrolled the bill, entitled "An act for altering the time for holding the district court of Ohio;" the bill, entitled "An act providing for the third census or enumeration of the inhabitants of the United States;" also, the bill, entitled "An act to prevent the issuing of sea-letters, except to certain vessels."

The Senate resumed the motion made yesterday, That a committee be appointed to inquire whether any further and what provision should be made for the relief of persons imprisoned on process issued from the courts of the United States in civil cases, and that they have leave to report by bill or otherwise; and, having agreed thereto,

*Ordered*, That Messrs. Whiteside, Leib, and Bayard, be the committee.

A message from the House of Representatives, by Mr. Magruder, their Clerk:

*Mr. President:* The House of Representatives have passed a bill, entitled "An act authorizing the discharge of John Kerr from his imprisonment," in which they request the concurrence of the Senate. The Speaker of the House of Representatives having signed three enrolled bills, I am directed to bring them to the Senate for the signature of their President. And he withdrew.

The President signed the three enrolled bills last reported to have been examined, and they were delivered to the committee, to be laid before the President of the United States.

The bill last brought up for concurrence was read.

*Ordered,* That it pass to the second reading.

The Senate resumed, as in committee of the whole, the bill to alter and amend the act, entitled "An act fixing the military peace establishment of the United States."

On motion, by Mr. Anderson,

To strike out, from lines fourth and fifth, the following words: "nor to the commandant of the marine corps,"

It was determined in the affirmative,  $\left\{ \begin{array}{l} \text{Yeas} \dots\dots\dots 18, \\ \text{Nays} \dots\dots\dots 10. \end{array} \right.$

On motion, by Mr. Anderson,

The yeas and nays having been required by one-fifth of the Senators present,

Those who voted in the affirmative, are,

Messrs. Anderson, Bayard, Bradley, Champlin, Clay, Gaillard, German, Gilman, Goodrich, Hillhouse, Horsey, Mathewson, Meigs, Pickering, Pope, Smith, of Maryland, Smith, of New York, and Sumter.

Those who voted in the negative, are,

Messrs. Campbell, Condit, Crawford, Franklin, Lambert, Leib, Lloyd, Tait, Turner, and Whiteside.

And the President reported the bill to the House amended accordingly.

On the question, Shall the bill be engrossed and read a third time as amended?

It was determined in the affirmative.

The bill authorizing the sale and grant of a certain quantity of public land to the Chesapeake and Delaware Canal Company was read the second time.

On motion, by Mr. Bayard,

*Resolved,* That it be referred to a select committee, to consider and report thereon.

*Ordered,* That Messrs. Bayard, Pope, and Anderson, be the committee.

The Senate resumed, as in committee of the whole, the bill appropriating a sum of money for procuring munitions of war, and for other purposes; and, after the consideration of sundry propositions to amend the bill,

On motion, by Mr. Pope,

The further consideration thereof was postponed until Monday next.

The Senate resumed the bill to add to the officers of the Treasury a superintendent of the public lands of the United States. \* \*

On motion, by Mr. Meigs,

The further consideration thereof was postponed indefinitely,

On motion,

The Senate adjourned to 11 o'clock on Monday morning; to which time the several orders of the day were postponed.

### MONDAY, MARCH 26, 1810.

Mr. Bayard, from the committee to whom was referred the bill authorizing the sale and grant of a certain quantity of public land to the Chesapeake and Delaware Canal Company, reported it without amendment.

Mr. Whiteside, from the committee, reported that they did, on Saturday last, lay before the President of the United States the enrolled bill, entitled "An act providing for the third census or enumeration of the inhabitants of the United States;" the enrolled bill, entitled "An act to prevent the issuing of sea-letters, except to certain vessels;" also, the enrolled bill, entitled "An act for altering the time for holding the district court in Ohio."

The bill, entitled "An act authorizing the discharge of John Kerr from his imprisonment," was read the second time,

The Senate resumed, as in committee of the whole, the bill for the establishment of a quartermaster's department, together with the amendments reported by the select committee; and, having agreed thereto, and further amended the bill, the President reported it to the House accordingly.

On the question, Shall this bill be engrossed and read a third time as amended?

It was determined in the affirmative.

The bill making provision for the establishment of a national bank was read the second time.

Mr. Gilman, from the committee, reported the bill to alter and amend the act, entitled "An act fixing the military peace establishment of the United States," correctly engrossed; and the bill was read the third time.

*Resolved*, That this bill pass, and that the title thereof be "An act to alter and amend the act, entitled 'An act fixing the military peace establishment of the United States.'"

*Ordered*, That the Secretary request the concurrence of the House of Representatives in this bill.

Mr. Clay, from the committee to whom was recommitted the bill granting a right of pre-emption to purchasers of public lands in certain cases, reported it with amendments; which were read.

Mr. Pope, from the committee to whom the subject was referred, on the 22d instant, reported a bill authorizing a subscription on the part of the United States to the stock of the Ohio Canal Company; and the bill was twice read by unanimous consent.

A message from the President of the United States, by Mr. Coles, his Secretary:

*Mr. President*: The President of the United States hath this day approved and signed "An act for altering the time for holding the district court in Ohio."

*Ordered*, That the Secretary notify the House of Representatives accordingly.

A message from the House of Representatives, by Mr. Magruder, their Clerk:

*Mr. President*: The House of Representatives have passed the bill, entitled "An act making an appropriation for the purpose of trying the practical use of the torpedo, or submarine explosion," with an amendment; in which they desire the concurrence of the Senate. The House of Representatives have passed a bill, entitled "An act authorizing the discharge of Phineas Varney from his imprisonment;" also, a bill, entitled "An act making appropriations for carrying into effect certain Indian treaties;" in which bills they desire the concurrence of the Senate. And he withdrew.

The Senate resumed, as in committee of the whole, the bill appropriating a sum of money for procuring munitions of war, and for other purposes;" and, on request, Mr. Pope had leave to withdraw his amendment.

On motion, by Mr. Pope,

To substitute the following as an amendment to the bill, to wit:

"SEC. 4. *And be it further enacted*, That for supplying clothing for the marine corps, and for furnishing the navy of the United States for the year 1811, with sails, duck, cordage, and hemp, and other articles of the fabric of hemp and flax, requisite for its use, there be and hereby is appropriated, &c."—

A motion was made, by Mr. Lloyd,

To strike out from the amendment the following words: "And for furnishing the navy of the United States with sails, duck, cordage, and hemp, and other articles of the fabric of hemp and flax, requisite for its use:"

It was determined in the negative,  $\left\{ \begin{array}{l} \text{Yeas} \dots\dots\dots 9, \\ \text{Nays} \dots\dots\dots 22. \end{array} \right.$

On motion, by Mr. Hillhouse,

The yeas and nays having been required by one-fifth of the Senators present,

Those who voted in the affirmative, are,

Messrs. Bradley, Crawford, German, Gilman, Goodrich, Hillhouse, Lloyd, Pickering, and Turner.

Those who voted in the negative, are,

Messrs. Anderson, Bayard, Campbell, Champlin, Clay, Condit, Franklin, Gaillard, Giles, Gregg, Horsey, Lambert, Leib, Mathewson, Meigs, Pope, Robinson, Smith, of Maryland, Smith, of New York, Sumter, Tait, and Whiteside.

And the original motion for amendment having been agreed to,

On motion,

The Senate adjourned to 11 o'clock to-morrow morning; to which time the several orders of the day were postponed.

## TUESDAY, MARCH 27, 1810.

The Senate proceeded to consider the amendment of the House of Representatives to the bill, entitled "An act making an appropriation for the purpose of trying the practical use of the torpedo or submarine explosion."

On motion, by Mr. Leib,

*Resolved*, That they concur therein.

Mr. Whiteside, from the committee, reported that they had examined and found duly enrolled the bill, entitled "An act making an appropriation for the purpose of trying the practical use of the torpedo, or submarine explosion;" also, the bill, entitled "An act to make public a road in Washington county, in the District of Columbia."

On motion, by Mr. Bayard,

It was agreed that the bill making provision for the establishment of a national bank be the order of the day for Wednesday next.

The bill, entitled "An act making appropriations for carrying into effect certain Indian treaties," was read the second time.

*Ordered*, That it pass to the third reading.

The bill, entitled "An act authorizing the discharge of Phineas Varney from his imprisonment," was read the second time.

*Resolved*, That it be referred to a select committee, to consider and report thereon.

*Ordered*, That Messrs. Bradley, Goodrich, and Gregg, be the committee.

The bill, entitled "An act for the relief of Tristram Hussey," was read the second time.

On motion, by Mr. German,

*Resolved*, That it be referred to a select committee, to consider and report thereon.

*Ordered*, That Messrs. German, Bradley, and Gregg, be the committee.

On motion, by Mr. Turner,

*Resolved*, That the bill, entitled "An act authorizing the discharge of John Kerr from his imprisonment," be referred to a select committee, to consider and report thereon.

*Ordered*, That Messrs. Turner, Tait, and Crawford, be the committee.

The Senate resumed the bill authorizing the sale and grant of a certain quantity of public land to the Chesapeake and Delaware Canal Company.

On the question, Shall this bill be engrossed and read a third time?

It was determined in the affirmative.

The Senate resumed the bill authorizing a subscription on the part of the United States to the stock of the Ohio Canal Company.

On the question, Shall this bill be engrossed and read a third time?

It was determined in the affirmative.

The Senate resumed, as in committee of the whole, the bill appropriating a sum of money for procuring munitions of war, and for other purposes, and the President having reported the bill to the House amended,

On the question, Shall this bill be engrossed and read the third time as amended?

It was determined in the affirmative.

Mr. Clay, from the committee to whom was referred, on the 23d February, the petition of Richard B. Lee, made report; which was read for consideration.

Mr. Anderson, from the committee appointed on the subject, reported a bill supplementary to an act, entitled "An act concerning the District of Columbia;" which was read and passed to the second reading.

Mr. Meigs, from the committee to whom was recommitted the bill granting a right of pre-emption to purchasers of public lands in certain cases, reported amendments thereto; which were read.

Mr. Clay gave notice that to-morrow he should ask leave to bring in a bill supplementary to an act, entitled "An act to regulate trade and intercourse with the Indian tribes, and to preserve peace on the frontiers."

Mr. Lloyd presented the memorial of the proprietors of the Middlesex canal, in Massachusetts, stating that, at a very great expense, they have constructed a canal twenty-seven miles in length, and which, in its progress, over seven rivers and by twenty locks, descends one hundred and four feet, into the harbor of Boston; and when finished will be of great public utility; but that the finances of the proprietors are inadequate to the completion of their object, ultimately, the inland navigation from the Merrimack, by intervening rivers and lakes, to the western waters: They therefore pray they may be included in the bill for the improvement of the United States by canals and roads; and the memorial was read.

On motion, by Mr. Lloyd,

*Resolved*, That the memorial be referred to a select committee, to consider and report thereon by bill or otherwise.

*Ordered*, That Messrs. Lloyd, Bradley, and Gilman, be the committee.

Mr. Lloyd, from the last mentioned committee, reported a bill authorizing the sale and grant of a certain quantity of public land to the proprietors of the Middlesex canal, in the state of Massachusetts; and the bill was read and passed to the second reading.

On motion,

The Senate adjourned to 11 o'clock to-morrow morning; to which time the several orders of the day were postponed.

THURSDAY, MARCH 29, 1810.

Mr. Gilman, from the committee, reported the bill authorizing a subscription on the part of the United States to the stock of the Ohio Canal Company; the bill, authorizing the sale and grant of a certain quantity of public land to the Chesapeake and Delaware Canal Company; also, the bill appropriating a sum of money for procuring munitions of war, and for other purposes; correctly engrossed.

A message from the House of Representatives, by Mr. Magruder, their Clerk:

*Mr. President:* The Speaker of the House of Representatives having signed two enrolled bills, I am directed to bring them to the Senate for the signature of their President. And he withdrew.

The President signed the two enrolled bills last reported to have been examined, and they were delivered to the committee, to be laid before the President of the United States.

The bill authorizing the sale and grant of a certain quantity of public land to the proprietors of the Middlesex canal, in the state of Massachusetts, was read the second time, and considered as in committee of the whole; and

On motion, by Mr. Lloyd,

The bill having been amended, the President reported it to the House accordingly.

On the question, Shall this bill be engrossed and read the third time as amended?

It was determined in the affirmative.

The bill supplementary to an act, entitled "An act concerning the District of Columbia," was read the second time.

On motion, by Mr. Anderson,

It was agreed that the further consideration thereof be the order of the day for Tuesday next.

The bill to amend an act supplementary to an act, entitled "An act to incorporate the inhabitants of the city of Washington, in the District of Columbia," was read the second time.

On motion, by Mr. Anderson,

It was agreed that the further consideration thereof be the order of the day for Tuesday next.

The Senate resumed, as in committee of the whole, the amendments reported by the select committee to the bill granting a right of pre-emption to purchasers of public lands in certain cases; and having agreed thereto, the President reported the bill to the House amended accordingly.

On the question, Shall this bill be engrossed and read the third time as amended?

It was determined in the affirmative.

The bill authorizing the sale and grant of a certain quantity of public land to the Chesapeake and Delaware Canal Company was read the third time.

*Resolved,* That this bill pass, and that the title thereof be "An act authorizing the sale and grant of a certain quantity of public land to the Chesapeake and Delaware Canal Company."

*Ordered,* That the Secretary request the concurrence of the House of Representatives in this bill.

Mr. Gregg, from the joint committee appointed on the part of the Senate to consider and report the business necessary to be acted on during the present session, and when it may be expedient to close the same, reported the business; and that, in the opinion of the committee, the session may be closed on the 23d day of April next; and the report was read for consideration.

Mr. Franklin, from the committee to whom was referred the bill, entitled "An act regulating the post office establishment," reported it with an amendment.

The bill authorizing a subscription on the part of the United States to the stock of the Ohio Canal Company was read the third time.

*Resolved,* That this bill pass, and that the title thereof be "An act authorizing a subscription on the part of the United States to the stock of the Ohio Canal Company."

*Ordered,* That the Secretary request the concurrence of the House of Representatives in this bill.

Mr. Turner, from the committee to whom was referred the bill, entitled "An act authorizing the discharge of John Kerr from his imprisonment," reported it without amendment.

*Ordered,* That this bill pass to the third reading.

On motion, by Mr. Giles,

It was agreed that the further consideration of the bill appropriating a sum of money for procuring munitions of war, and for other purposes, be postponed until Monday next.

Agreeably to notice, Mr. Clay asked and obtained leave to bring in a bill supplementary to an act, entitled "An act to regulate trade and intercourse with the Indian tribes, and to preserve peace on the frontiers;" and the bill was read and passed to the second reading.

On motion,

The Senate adjourned to 11 o'clock to-morrow morning; to which time the several orders of the day were postponed.

### FRIDAY, MARCH 30, 1810.

The report of the select committee on the petition of Richard B. Lee was resumed.

On motion, by Mr. Brent,

*Ordered*, That it lie on the table.

The bill supplementary to an act, entitled "An act to regulate trade and intercourse with the Indian tribes, and to preserve peace on the frontiers," was read the second time.

On motion, by Mr. Clay,

*Resolved*, That it be referred to a select committee, to consider and report thereon.

*Ordered*, That Messrs. Clay, Anderson, and Meigs, be the committee.

On motion, by Mr. Anderson,

*Resolved*, That a committee be appointed to inquire whether any, and, if any, what alterations are necessary to be made in the act for establishing trading houses with the Indian tribes, and the several acts supplementary thereto; and that the committee have leave to report by bill or otherwise.

*Ordered*, That Messrs. Anderson, Crawford, and Gregg, be the committee.

Mr. Gilman, from the committee, reported the bill authorizing the sale and grant of a certain quantity of public land to the proprietors of the Middlesex canal, in the state of Massachusetts, correctly engrossed.

On motion, by Mr. Goodrich,

It was agreed that the further consideration thereof be postponed until Monday next.

Mr. Gilman, from the committee, also reported the bill granting a right of pre-emption to purchasers of public lands in certain cases correctly engrossed; and the bill was read the third time; and,

On motion, by Mr. Campbell,

The blanks were filled as follows:

The first, with the word "six."

second, with the words "six hundred and forty."

third, with the words "first day of January next."

fourth, with the word "two."

fifth, with the word "two."

sixth, with the words "six hundred and forty."

seventh, with the words "first day of June next."

*Resolved*, That this bill pass, and that the title thereof be "An act to extend the time for making payment for the public lands of the United States in certain cases."

*Ordered*, That the Secretary request the concurrence of the House of Representatives in this bill.

Mr. Bayard, from the committee to whom was referred the bill to amend the laws within the District of Columbia, reported it with amendments; which were read.

On motion, by Mr. Turner,

*Resolved*, That the bill, entitled "An act authorizing the discharge of John Kerr from his imprisonment," be recommitted to a select committee, further to consider and report thereon.

*Ordered*, That Messrs. Turner, Crawford, and Tait, be the committee.

Mr. Crawford, from the committee to whom was recommitted, on the 20th February, the resolution for an amendment to the constitution of the United States, respecting titles of nobility, together with the amendments reported thereto by the select committee, reported it further amended.

The bill, entitled "An act making appropriations for carrying into effect certain Indian treaties," was read the third time.

On motion, by Mr. Bradley,

It was agreed, by unanimous consent, to amend the bill, by adding, at the end of the second section, the following words: "and a further annuity of two hundred dollars to the Miami tribe of Indians; and to the Wea and Eel river tribes, a further annuity of one hundred dollars each, which shall be permanent."

*Resolved*, That this bill pass with an amendment.

*Ordered*, That the Secretary request the concurrence of the House of Representatives therein.

Mr. German gave notice that on Monday he should ask leave to bring in a bill to appropriate a certain tract of land for opening and improving the water communication between the tide waters of the Hudson river and Lakes Ontario and Erie.

Mr. German, from the committee to whom was referred the bill for the relief of Tristram Hussey, reported it without amendment.

*Ordered*, That this bill pass to the third reading.

On motion,

The Senate adjourned to 11 o'clock on Monday morning; to which time the several orders of the day were postponed.

### MONDAY, APRIL 2, 1810.

After the consideration of the Executive business,

Mr. Bradley, from the committee appointed on the subject, reported a bill fixing the compensation of public ministers and of consuls residing on the coast of Barbary, and for other purposes; and the bill was read and passed to the second reading.

Mr. Bradley, from the committee to whom was recommitted the bill for the relief of Joseph Summerl, Simon Philipson, William Hamon, Archibald M'Call, and Isaac Clason, reported it amended.

On motion, by Mr. Brent,

*Ordered*, That the petition of Richard B. Lee, with the report of the Secretary of War, made on the 29th of November, 1809, together with all the other papers accompanying the said petition, be recommitted to a select committee, further to consider and report thereon.

*Ordered*, That Messrs. Brent, Crawford, and Clay, be the committee.

The Senate resumed, as in committee of the whole, the amendments reported by the select committee to the bill to amend the laws within the District of Columbia; and, having agreed thereto, the President reported the bill to the House amended accordingly.

On the question, Shall this bill be engrossed and read a third time as amended?

It was determined in the affirmative.

Mr. Brent, from the committee to whom was referred the petition of Urban Guillet and his associates, known under the name of the "Society of La Trappe," made report; which was read for consideration.

Mr. Whiteside, from the committee, reported that they did, on the 30th of March last, lay before the President of the United States the enrolled bill, entitled "An act making an appropriation for the purpose of trying the practical use of the torpedo or submarine explosion;" also, the enrolled bill, entitled "An act to make public a road in Washington county, in the District of Columbia."

The engrossed bill authorizing the sale and grant of a certain quantity of public land to the proprietors of the Middlesex canal, in the state of Massachusetts, was read the third time.

On motion, by Mr. Lloyd,

It was agreed, by unanimous consent, to amend the bill, and to strike out, after the word "therewith," at the end of the fourth section, as follows: "and extending the same to Connecticut river, by such waters or canals as may be fixed by the board of directors," and to insert the following words: "pursuant to the act or acts of incorporation that have been or may be obtained by said company."

*Resolved*, That this bill pass as amended, and that the title thereof be "An act authorizing the sale and grant of a certain quantity of public land to the proprietors of the Middlesex canal, in the state of Massachusetts."

*Ordered*, That the Secretary request the concurrence of the House of Representatives in this bill.

On motion, by Mr. Smith, of Maryland,

*Resolved*, That the Secretary for the Department of the Treasury be directed to report to the Senate, whether any and what dividends have been made by the Bank of the United States, other than those publicly declared of eight per cent per annum; and whether any surplus, and what amount, remained to the credit of the bank after payment of the last dividend had been made; and, also, the profit or loss that has resulted to the bank from its offices of discount and deposit; specifying the profit or the loss on each office separately, and the amount of capital supplied to each.

A message from the President of the United States, by Mr. Coles, his Secretary:

*Mr. President:* The President of the United States did, on the 30th of March, approve and sign "An act making an appropriation for the purpose of trying the practical use of the torpedo or submarine explosion."

*Ordered,* That the Secretary notify the House of Representatives accordingly.

The following written message was also received from the President of the United States, by his Secretary:

*To the Senate of the United States:*

I transmit to the Senate a report of the Secretary of State, complying with their resolution of the 22d instant.

JAMES MADISON.

March 30, 1810.

The message and report were read.

On motion, by Mr. Bradley,

*Resolved,* That the bill, entitled "An act for the relief of Jared Shattuck," together with the above message and report, be referred to a select committee, to consider and report thereon.

*Ordered,* That Messrs. Bradley, Gregg, and Bayard, be the committee.

The bill, entitled "An act for the relief of Tristram Hussey," was read the third time.

*Resolved,* That this bill pass.

*Ordered,* That the Secretary acquaint the House of Representatives with the concurrence of the Senate in this bill.

Agreeably to notice, Mr. German asked and obtained leave to bring in a bill to appropriate a certain tract of land for opening and improving the water communication between the tide waters of the Hudson river and Lakes Ontario and Erie; and the bill was read and passed to the second reading.

A message from the House of Representatives, by Mr. Magruder, their Clerk:

*Mr. President:* The House of Representatives adhere to their disagreement to the amendments of the Senate to the bill, entitled "An act respecting the commercial intercourse between the United States and Great Britain and France, and for other purposes." The House of Representatives have passed a bill, entitled "An act to examine into the title to the batture in front of the suburb St. Mary;" in which bill they desire the concurrence of the Senate. And he withdrew.

The bill last brought up for concurrence was read and passed to the second reading.

On motion, by Mr. Giles,

The further consideration of the bill appropriating a sum of money for procuring munitions of war, and for other purposes, was postponed until Thursday next.

The Senate resumed, as in committee of the whole, the bill, entitled "An act regulating the post office establishment," together with the amendment reported thereto by the select committee; and, after progress,

On motion,

The Senate adjourned to 11 o'clock to-morrow morning; to which time the several orders of the day were postponed.

## TUESDAY, APRIL 3, 1810.

Mr. Gilman, from the committee, reported the bill to amend the laws within the District of Columbia correctly engrossed; and the bill was read the third time.

*Resolved,* That this bill pass, and that the title thereof be "An act to amend the laws within the District of Columbia."

*Ordered,* That the Secretary request the concurrence of the House of Representatives in this bill.

Mr. Bradley, from the committee to whom was referred the bill, entitled "An act authorizing the discharge of Phineas Varney from his imprisonment," reported it without amendment.

The bill to appropriate a certain tract of land for opening and improving the water communication between the tide waters of the Hudson river and Lakes Ontario and Erie, was read the second time.

The bill fixing the compensation of ministers and of consuls residing on the coast of Barbary, and for other purposes, was read the second time.

The bill, entitled "An act to examine into the title of the batture in front of the suburb St. Mary," was read the second time.

On motion, by Mr. Whiteside,

*Resolved,* That it be referred to a select committee, to consist of five members, to consider and report thereon.

*Ordered*, That Messrs. Whiteside, Crawford, Gregg, Bradley, and Hillhouse, be the committee.

Mr. Brent, from the committee appointed on the subject, reported a bill to incorporate the trustees of Washington college; and the bill was read and passed to the second reading.

The Senate resumed, as in committee of the whole, the bill, entitled "An act regulating the post office establishment," together with the amendments proposed thereto; and

On the amendment submitted by Mr. Bayard, as follows:

To strike out, from the word "office," in the second line of the tenth section, to the word "and," in the sixth line, and insert the following clause:

"Which shall remain open for the receipt and delivery of letters, papers, and packages, each day of the week, from the hour of — in the morning, to the hour of — in the evening; during which time, and, also, such other time as the postmaster general shall direct, one or more persons shall attend for the purpose of performing the duties thereof;"

Mr. Bradley called for a division of the question, and it was taken on striking out; and

Determined in the negative,	{ Yeas . . . . .	14,
	{ Nays . . . . .	15.

On motion, by Mr. Hillhouse,

The yeas and nays having been required by one-fifth of the Senators present,

Those who voted in the affirmative, are,

Messrs. Anderson, Bayard, Brent, Campbell, Clay, Gaillard, Giles, Horsey, Lambert, Reed, Smith, of Maryland, Sumter, Turner, and Whiteside.

Those who voted in the negative, are,

Messrs. Bradley, Condit, Crawford, Franklin, German, Gilman, Goodrich, Gregg, Hillhouse, Lloyd, Mathewson, Meigs, Pickering, Robinson, and Smith, of New York.

On motion, by Mr. Goodrich,

To amend the bill, by inserting the words "by water," between the words "communication" and "shall," in the 17th section:

It passed in the affirmative,	{ Yeas . . . . .	22,
	{ Nays . . . . .	5.

On motion, by Mr. Hillhouse,

The yeas and nays having been required by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Bayard, Bradley, Campbell, Champlin, Clay, Condit, Crawford, Gaillard, German, Gilman, Goodrich, Hillhouse, Horsey, Lambert, Lloyd, Mathewson, Pickering, Reed, Robinson, Smith, of Maryland, Smith, of New York, and Turner.

Those who voted in the negative, are,

Messrs. Anderson, Franklin, Gregg, Meigs, and Sumter.

And sundry other amendments having been agreed to,

On motion,

The Senate adjourned to 11 o'clock to-morrow morning; to which time the several orders of the day were postponed.

### WEDNESDAY, APRIL 4, 1810.

The bill to incorporate the trustees of Washington College was read the second time; and

A motion was made, by Mr. Gregg, to postpone the further consideration thereof to the first Monday in December next.

The Senate resumed, as in committee of the whole, the bill making provision for the establishment of a national bank; and Mr. Bayard having proposed sundry amendments to the bill, which were read,

On his motion,

It was agreed that the further consideration of the bill and amendments be the order of the day for Friday next.

The President communicated the report of the Secretary for the Department of Treasury, made in pursuance of the resolution of the Senate of the 2d instant, respecting the Bank of the United States; which was read.

*Ordered*, That it lie for consideration.

The Senate resumed, as in committee of the whole, the bill, entitled "An act regulating the post office establishment," together with the amendments proposed thereto.

It was determined in the negative, { Yeas . . . . . 7,  
 { Nays . . . . . 20.

On motion, by Mr. Reed,

The yeas and nays having been required by one-fifth of the Senators present,

Those who voted in the affirmative, are,

Messrs. Champlin, Gilman, Hillhouse, Horsey, Pickering, Reed, and Smith, of Maryland.

Those who voted in the negative, are,

Messrs. Clay, Condit, Crawford, Franklin, Gaillard, German, Giles, Goodrich, Gregg, Lambert, Lloyd, Mathewson, Meigs, Pope, Robinson, Smith, of New York, Sumter, Tait, Turner, and Whiteside.

On motion, by Mr. Horsey,

To amend the bill, after the word "thereof," in the 6th line of the 10th section, and add the following words: "Provided, that, in the cities or towns of Boston, Providence, and Newport, in the state of Rhode Island, Philadelphia, Wilmington, in the state of Delaware, Baltimore, Annapolis, Washington, Alexandria, Richmond, Petersburg, Norfolk, Charleston, Savannah, Augusta, and New Orleans, the postmasters shall keep their respective offices open for the receipt and delivery of letters, papers, and packages, and give due attendance each day of the week, from the hour of ——— in the morning to the hour of ——— in the evening, and at such other hours as the Postmaster General shall direct."

It was determined in the negative, { Yeas . . . . . 15,  
Nays . . . . . 16.

On motion, by Mr. Goodrich,

The yeas and nays having been required by one-fifth of the Senators present,

Those who voted in the affirmative, are,

Messrs. Anderson, Bayard, Brent, Champlin, Gaillard, Giles, Gregg, Horsey, Lloyd, Mathewson, Reed, Smith, of Maryland, Sumter, Turner, and Whiteside.

Those who voted in the negative, are,

Messrs. Bradley, Campbell, Clay, Condit, Franklin, German, Gilman, Goodrich, Hillhouse, Lambert, Meigs, Pickering Pope, Robinson, Smith, of New York, and Tait.

And the bill having been further amended,

On motion, by Mr. Lloyd,

The further consideration thereof was postponed until to-morrow.

Mr. Smith, of Maryland, gave notice that to-morrow he should ask leave to bring in a bill to authorize the President of the United States to employ the public armed ships in protecting the commerce of the United States, and for other purposes.

Mr. Lloyd submitted the following motion for consideration:

*Resolved*, That the Secretary for the Department of War be, and he hereby is, requested to prepare a system for improving the discipline of the militia of the United States, comprehending the infantry, cavalry, and artillery; and to report the same to the Senate at the next session of Congress.

A message from the House of Representatives, by Mr. Magruder, their Clerk:

*Mr. President*: The House of Representatives have passed a resolution authorizing the President of the Senate and Speaker of the House of Representatives to adjourn their respective Houses on the twenty-third of April instant; in which they request the concurrence of the Senate. And he withdrew

The resolution was read and passed to the second reading.

After the consideration of the Executive business,

The Senate adjourned to 11 o'clock to-morrow morning; to which time the several orders of the day were postponed.

## FRIDAY, APRIL 6, 1810.

The resolution of the House of Representatives authorizing the President of the Senate and Speaker of the House of Representatives to adjourn their respective Houses on the twenty-third of April, instant, was read the second time.

*Ordered*, That it pass to the third reading.

Mr. Giles (in pursuance of instructions from the legislature of Virginia) submitted the following resolutions for consideration:

*Resolved*, That a committee be appointed to inquire into the expediency of providing by law for appropriating certain waste and unappropriated lands to satisfy bounties due from the state of Virginia to the officers and soldiers of the line of that state, and to the marines thereof; and, if deemed expedient, to designate the said lands by law.

*Resolved*, That a committee be appointed to inquire into the expediency of extinguishing the Indian claim to lands within the boundaries of the state of Kentucky, and

**Ordered, That Messrs. Crawford, Clay, and Anderson, be the committee.**

Messrs. Anderson, Bradley, Brent, Campbell, Clay, Franklin, Gaillard, Germani.

Gilman, Horsey, Lambert, Meigs, Pickering, Robinson, Smith, of New York, Sumter, Tait, Turner, and Whiteside.

And the President having reported the bill to the House amended,

On the question, Shall this bill be engrossed and read a third time as amended?

It was determined in the affirmative.

Mr. Clay submitted the following motion for consideration:

*Resolved*, That it is expedient to make provision by law for encouraging emigration to the Orleans territory, of American citizens, by making a suitable donation of certain portions of the public lands within the said territory.

Mr. Crawford, from the committee to whom was recommitted the bill, entitled "An act regulating the post office establishment," reported the bill with amendments, which were read and agreed to; and,

On motion, by Mr. Clay,

The words "three thousand," were stricken out of the new section adopted, to come in after section forty of the original bill; and the President reported the bill to the House accordingly.

On the question, Shall this bill pass to the third reading as amended?

It was determined in the affirmative.

On motion, by Mr. Smith, of Maryland,

The bill, entitled "An act to alter and amend an act, entitled 'An act providing for the third census or enumeration of the inhabitants of the United States,'" was read the second and third time by unanimous consent.

*Resolved*, That this bill pass.

*Ordered*, That the Secretary notify the House of Representatives accordingly.

On motion,

The Senate adjourned to 11 o'clock on Monday morning; to which time the several orders of the day were postponed.

#### MONDAY, APRIL 9, 1810.

On request, Mr. Robinson had leave of absence after Thursday next.

The bill for the relief of William W. Weymouth and Joseph P. Weeks was read the second time.

Mr. Brent, from the committee to whom the subject of banks was referred, reported a bill for continuing the charter of the Bank of Alexandria, in the District of Columbia, which was read and passed to the second reading.

The bill, entitled "An act for the relief of John Thompson," was read the second time.

On motion, by Mr. Campbell,

*Resolved*, That it be referred to a select committee, to consider and report thereon.

*Ordered*, That Messrs. Campbell, Clay, and Giles, be the committee.

The bill, entitled "An act for the relief of Moses Young," was read the second time.

On motion, by Mr. Smith, of Maryland,

*Resolved*, That it be referred to a select committee, to consider and report thereon.

*Ordered*, That Messrs. Smith, of Maryland, Crawford, and Gregg, be the committee.

The bill, entitled "An act for the relief of John Minor, administrator of Reuben Minor," was read the second time.

The bill concerning the society of the order of La Trappe was read the second time.

The Senate resumed the resolutions submitted by Mr. Giles, on the 6th instant, which were agreed to; and,

*Ordered*, That Messrs. Giles, Anderson, and Hillhouse, be the committee.

Mr. Crawford, from the committee to whom was referred the bill, entitled "An act for the relief of Elizabeth Hamilton," reported it without amendment.

Mr. Crawford, from the same committee, to whom was referred the petition of Sarah Easton and Dorothy Jones, reported that the prayer of the petitioners ought not to be granted, and that they have leave to withdraw their petition.

Mr. Bradley, from the committee to whom was referred the petition of the Erie Literary Society, reported that the consideration thereof be postponed to the next session of Congress; and the report was agreed to.

On motion, by Mr. Bradley,

The bill making provision for the establishment of a national bank was postponed until Wednesday next.



It was agreed to fill the third blank with the word "thirty."

On motion, by Mr. Bayard,  
To fill the fourth blank with the word "twenty,"

It was determined in the affirmative,  $\left\{ \begin{array}{l} \text{Yeas} \dots\dots\dots 19, \\ \text{Nays} \dots\dots\dots 10. \end{array} \right.$

And, on his motion,

The yeas and nays having been required by one-fifth of the Senators present,  
Those who voted in the affirmative, are,

Messrs. Bayard, Brent, Crawford, Franklin, Gaillard, Giles, Gilman, Goodrich, Gregg, Hillhouse, Horsey, Lambert, Leib, Lloyd, Mcigs, Pickering, Smith, of Maryland, Smith, of New York, and Tait.

Those who voted in the negative, are,

Messrs. Anderson, Bradley, Clay, Condit, German, Pope, Reed, Sumter, Turner, and Whiteside.

On motion, by Mr. Smith, of Maryland,  
To fill the fifth blank with the words "three thousand,"  
It was determined in the negative.

On motion, by Mr. Smith, of Maryland,  
To fill the said blank with the words "twenty-five hundred,"

It was determined in the negative,  $\left\{ \begin{array}{l} \text{Yeas} \dots\dots\dots 12, \\ \text{Nays} \dots\dots\dots 18. \end{array} \right.$

And, on his motion,

The yeas and nays having been required by one-fifth of the Senators present,

Those who voted in the affirmative, are,

Messrs. Brent, Condit, Crawford, Franklin, Gaillard, German, Giles, Gilman, Horsey, Robinson, Smith, of Maryland, and Smith, of New York.

Those who voted in the negative, are,

Messrs. Anderson, Bayard, Bradley, Clay, Goodrich, Gregg, Hillhouse, Lambert, Leib, Lloyd, Meigs, Pickering, Pope, Reed, Sumter, Tait, Turner, and Whiteside.

On motion, by Mr. Lloyd,

It was agreed to fill the fifth blank with the words "two thousand," the compensation beyond which the postmasters are not to be entitled.

On the question, Shall this bill pass as amended?

It was determined in the affirmative,  $\left\{ \begin{array}{l} \text{Yeas} \dots\dots\dots 26, \\ \text{Nays} \dots\dots\dots 4. \end{array} \right.$

On motion, by Mr. German,

The yeas and nays having been required by one-fifth of the Senators present,

Those who voted in the affirmative, are,

Messrs. Anderson, Bayard, Bradley, Brent, Clay, Condit, Crawford, Franklin, Gaillard, Giles, Gilman, Goodrich, Gregg, Hillhouse, Horsey, Lambert, Leib, Lloyd, Meigs, Pickering, Pope, Robinson, Sumter, Tait, Turner, and Whiteside.

Those who voted in the negative, are,

Messrs. German, Reed, Smith, of Maryland, and Smith, of New York.

So it was

*Resolved*, That this bill pass with amendments.

*Ordered*, That the Secretary request the concurrence of the House of Representatives therein.

A message from the House of Representatives, by Mr. Magruder, their Clerk:

*Mr. President*: The House of Representatives have passed a bill, entitled "An act concerning invalid pensioners," in which they desire the concurrence of the Senate. And he withdrew.

The bill last brought up for concurrence was read and passed to a second reading.

Mr. Gilman, from the committee, reported the bill for the relief of Joseph Summerl, Simon Philipson, William Hamon, Archibald M'Call, and Isaac Clason, correctly engrossed.

On motion, by Mr. Smith, of Maryland,

That the further consideration thereof be postponed until to-morrow—

The votes were equally divided, and

The President determined the question in the affirmative.

The Senate resumed, as in committee of the whole, the bill to amend an act supplementary to an act, entitled "An act to incorporate the inhabitants of the city of Washington, in the District of Columbia."

On motion, by Mr. Smith, of Maryland,

To postpone the further consideration thereof to the first Monday in December next:

It was determined in the affirmative,  $\left\{ \begin{array}{l} \text{Yeas} \dots\dots\dots 14, \\ \text{Nays} \dots\dots\dots 11. \end{array} \right.$

On motion, by Mr. Anderson,  
The yeas and nays having been required by one-fifth of the Senators present,  
Those who voted in the affirmative, are,  
Messrs. Bayard, Bradley, Brent, Clay, Franklin, Gaillard, Gilman, Horsey, Lambert,  
Reed, Smith, of Maryland, Smith, of New York, Tait, and Turner.  
Those who voted in the negative, are,  
Messrs. Anderson, Condit, Goodrich, Gregg, Hillhouse, Leib, Lloyd, Meigs, Pickering, Sumter, and Whiteside.

On motion, by Mr. Brent,  
The bill supplementary to an act, entitled "An act concerning the District of Columbia," was postponed to the first Monday in December next.

Mr. Clay presented the petition of Elisha Winters, stating that, in the years 1801, 1802, and 1803, the wilderness road from Natchez to Kentucky, and the river Mississippi, was infested by a notorious gang of highway robbers, headed by a certain Samuel Mason, and that the petitioner was the means by which the said Mason was killed, two of his accomplices apprehended and executed, and the remainder of the banditti dispersed; and praying he may be allowed the reward offered for the apprehension of the said Mason by the President of the United States, or by the then Governor of the Mississippi territory; and the petition was read.

On motion, by Mr. Clay,  
*Resolved*, That it be referred to a select committee, to consider and report thereon.  
*Ordered*, That Messrs. Clay, Whiteside, and Crawford, be the committee.  
The Senate resumed, as in committee of the whole, the bill for the establishment of a quartermaster's department; and

On motion, by Mr. Smith, of Maryland,  
It was agreed that the further consideration thereof be postponed until to-morrow.

On motion,  
The Senate adjourned to 11 o'clock to-morrow morning; to which time the several orders of the day were postponed.

### WEDNESDAY, APRIL 11, 1810.

The bill to incorporate the Bank of Washington was read the second time.

On motion, by Mr. Leib,  
*Ordered*, That the further consideration thereof be postponed until the first Monday in December next.

On suggestion, by Mr. Gilman, that some inaccuracy had taken place in stating the amendments to the bill, entitled "An act regulating the post office establishment;" and,

On his motion,  
*Ordered*, That the Secretary go with a message to the House of Representatives, and ask the return of the said bill to the Senate, together with the amendments.  
The bill, entitled "An act concerning invalid pensioners," was read the second time.

On motion, by Mr. Franklin,  
*Resolved*, That it be referred to a select committee, to consider and report thereon.  
*Ordered*, That Messrs. Franklin, Gregg, and Leib, be the committee.  
Mr. Gilman, from the committee, reported the amendment to the bill, entitled "An act authorizing the discharge of John Kerr from his imprisonment," correctly engrossed; and the bill was read the third time as amended.

*Resolved*, That this bill pass with an amendment.  
*Ordered*, That the Secretary request the concurrence of the House of Representatives therein.

Mr. Bradley, from the committee to whom was referred the bill, entitled "An act for the relief of Amey Dardin, widow and representative of David Dardin, deceased," reported it without amendment.

Mr. Whiteside, from the committee, reported that they had examined and found duly enrolled the bill, entitled "An act to alter and amend an act, entitled 'An act providing for the third census, or enumeration of the inhabitants of the United States.'"

On motion, by Mr. Bayard,  
It was agreed that the bill making provision for the establishment of a national bank be the order of the day for Friday next.

The Senate resumed the third reading of the bill for the relief of Joseph Summerl, Simon Philipson, William Hamon, Archibald M'Call, and Isaac Clason, as amended.

On the question, Shall this bill pass as amended?

It was determined in the negative,  $\left\{ \begin{array}{l} \text{Yeas} \dots\dots\dots 14, \\ \text{Nays} \dots\dots\dots 18. \end{array} \right.$

On motion, by Mr. Anderson,

The yeas and nays having been required by one-fifth of the Senators present,

Those who voted in the affirmative, are,

Messrs. Bayard, Champlin, German, Giles, Gilman, Goodrich, Hillhouse, Horsey, Lloyd, Meigs, Pickering, Reed, Smith, of Maryland, and Smith, of New York.

Those who voted in the negative, are,

Messrs. Anderson, Bradley, Campbell, Clay, Condit, Crawford, Franklin, Gaillard, Gregg, Lambert, Leib, Mathewson, Pope, Robinson, Sumter, Tait, Turner, and Whiteside.

So the bill was lost.

A message from the House of Representatives, by Mr. Magruder, their Clerk:

*Mr. President:* Agreeably to the request, I am directed to bring to the Senate the bill, entitled "An act regulating the post office establishment," together with the amendments thereto. And he withdrew.

Mr. Bradley, from the committee to whom was referred the bill, entitled "An act for the relief of Jared Shattuck," reported it without amendment.

A message from the House of Representatives, by Mr. Magruder, their Clerk:

*Mr. President:* The House of Representatives have passed a bill, entitled "An act for the relief of William Baynham;" also, a bill, entitled "An act providing for the printing and distributing of such laws of the United States as respect the public lands;" in which bills they desire the concurrence of the Senate.

The Speaker of the House of Representatives having signed an enrolled bill, I am directed to bring it to the Senate for the signature of their President. And he withdrew.

The President signed the enrolled bill last reported to have been examined, and it was delivered to the committee, to be laid before the President of the United States.

The two bills last brought up for concurrence were read, and severally passed to the second reading.

Mr. Whiteside, from the committee, reported that they this day laid before the President of the United States the enrolled bill, entitled "An act for the relief of Tristram Hussey."

The Senate resumed, as in committee of the whole, the bill for the establishment of a quartermaster's department, together with the amendments reported thereto by the select committee, and having adopted the amendments, and having further amended the bill, the President reported it to the House accordingly.

On the question, Shall this bill be engrossed and read a third time as amended?

It was determined in the affirmative.

Mr. Gilman, from the committee, reported that they had re-examined the amendments to the bill, entitled "An act regulating the post office establishment," and that they were correctly engrossed; and,

On motion, by Mr. Bayard,

*Ordered,* That the Secretary return the bill, together with the amendments, to the House of Representatives.

The Senate resumed the consideration of the motion made on the 18th of January, for an amendment to the constitution of the United States respecting titles of nobility, together with the amendments reported by the select committee; and an amendment was submitted by Mr. Reed; and, also, an amendment was submitted by Mr. Lloyd.

On motion, by Mr. Reed,

It was agreed that the further consideration thereof be the order of the day for to-morrow.

On motion,

It was agreed that the further consideration of the bill, entitled "An act to examine into the title of the batture in front of the suburb of St. Mary," be the order of the day for to-morrow.

On motion, by Mr. Turner,

*Resolved,* That the bill, entitled "An act for the relief of John Minor, administrator of Reuben Minor," be referred to a select committee to consider and report thereon.

*Ordered,* That Messrs. Turner, Gregg, and Smith, of New York, be the committee.

Mr. Lloyd gave notice that to-morrow he should ask leave to bring in a bill to erect a light-house at the entrance of Scituate harbor, a stone column on a spit of sand at the entrance into Boston harbor, and a beacon on Beach point, near Plymouth harbor, in the state of Massachusetts, and a light at the entrance of bayou St. John into lake Ponchartrain.

The Senate resumed, as in committee of the whole, the bill, entitled "An act to amend an act, entitled 'An act for the establishment of a turnpike company in the

county of Alexandria, in the District of Columbia," together with the amendment reported thereto by the select committee, and, having agreed to the amendment, the President reported the bill to the house amended accordingly.

On the question, Shall this bill be read a third time as amended?

It was determined in the affirmative.

Mr. Brent, from the committee on the subject of banks, reported a bill to incorporate the Bank of Potomac; which was read and passed to the second reading.

Mr. Bradley submitted for consideration an amendment to the bill, entitled "An act for the relief of Elizabeth Hamilton;" also, an amendment to the bill, entitled "An act for the relief of Jared Shattuck;" which were severally read.

The Senate resumed, as in committee of the whole, the bill, entitled "An act for the relief of John Thompson;" and, after debate,

On motion,

The Senate adjourned to 11 o'clock to-morrow morning; to which time the several orders of the day were postponed.

#### THURSDAY, APRIL 12, 1810.

The bill, entitled "An act for the relief of William Baynham," was read the second time.

On motion, by Mr. Giles,

*Ordered*, That it pass to the third reading.

The bill to incorporate the Bank of Potomac was read the second time.

On motion, by Mr. Anderson,

*Ordered*, That the further consideration thereof be postponed until the first Monday in December next.

Mr. Anderson, from the committee to whom was recommitted the bill for the preservation of peace, and maintenance of the authority of the United States, in the ports, harbors, and waters, under their jurisdiction, reported it with amendments; which were read.

On motion, by Mr. Bradley,

*Resolved*, That the bill making further provision for the corps of engineers be referred to a select committee, to consider and report thereon.

*Ordered*, That Messrs. Bradley, Gregg, and Smith, of New York, be the committee.

Agreeably to notice, Mr. Lloyd asked and obtained leave to bring in a bill to erect a light-house at the entrance of Scituate harbor; a stone column on a spit of sand at the entrance into Boston harbor; and a beacon on Beach Point, near Plymouth harbor, in the state of Massachusetts; a light at the entrance of Bayou St. John, into Lake Ponchartrain; and a light on Bird Island, near the eastern extremity of Lake Erie; which bill was read and passed to the second reading.

Mr. Gilman, from the committee, reported the bill for the establishment of a quartermaster's department, correctly engrossed.

On motion, by Mr. Reed,

The further consideration thereof was postponed until to-morrow.

The Senate resumed the consideration of the motion made on the 18th of January, for an amendment to the constitution of the United States respecting titles of nobility, together with the amendment proposed thereto on the 30th March.

On motion, by Mr. Giles,

That the further consideration thereof be postponed to the next session of Congress,

It was determined in the negative,  $\left\{ \begin{array}{l} \text{Yeas} \dots\dots\dots 14, \\ \text{Nays} \dots\dots\dots 18. \end{array} \right.$

On motion, by Mr. Reed,

The yeas and nays having been required by one-fifth of the Senators present,

Those who voted in the affirmative, are,

Messrs. Anderson, Bradley, Campbell, Condit, Franklin, Gaillard, German, Giles, Gilman, Gregg, Lambert, Mathewson, Meigs, and Robinson.

Those who voted in the negative, are,

Messrs. Brent, Champlin, Clay, Crawford, Goodrich, Hillhouse, Horsey, Leib, Lloyd, Pickering, Pope, Reed, Smith, of Maryland, Smith, of New York, Sumter, Tait, Turner, and Whiteside.

On motion, by Mr. Bradley,

*Ordered*, That the further consideration thereof be postponed until Monday next.

A message from the House of Representatives, by Mr. Magruder, their Clerk:

*Mr. President.* The House of Representatives have passed a bill, entitled "An act to establish post roads;" a bill, entitled "An act to alter the times of holding the cir-

cuit court of the United States for the district of Maryland;" also, a bill, entitled "An act providing for the better accommodation of the general post office, and patent office, and for other purposes;" in which bills they desire the concurrence of the Senate. And he withdrew.

Mr. Whiteside, from the committee, reported that they did this day lay before the President of the United States the enrolled bill, entitled "An act to alter and amend an act, entitled 'An act providing for the third census or enumeration of the inhabitants of the United States.'"

The Senate resumed, as in committee of the whole, the bill, entitled "An act to examine into the title of the batture, in front of the suburb St. Mary;" and

A motion was made, by Mr. Whiteside,

That the further consideration thereof be postponed to the first Monday in December next, as instructed by the committee who had the bill under consideration; and, after debate,

It was determined in the negative.

The bill, entitled "An act providing for the printing and distributing of such laws of the United States as respect the public lands," was read the second time.

On motion,

The Senate adjourned to 11 o'clock to-morrow morning; to which time the several orders of the day were postponed.

#### FRIDAY, APRIL 13, 1810.

The three bills last brought up yesterday for concurrence were read, and severally passed to the second reading.

On motion, by Mr. Smith, of Maryland,

*Resolved*, That the Secretary for the Department of the Treasury be directed to report to the Senate the amount of the outstanding revenue bonds on the first day of January last, with the probable expenses of collecting the same; and the amount of the balance then remaining in the Treasury of the United States.

Mr. Bradley, from the committee to whom was referred the bill making further provision for the corps of engineers, reported it with an amendment.

On motion, by Mr. Franklin,

The bill, entitled "An act to establish post roads," was read the second time by unanimous consent.

On motion, by Mr. Smith, of Maryland,

The bill, entitled "An act providing for the better accommodation of the general post office and patent office, and for other purposes," was read the second time by unanimous consent.

*Resolved*, That it be referred to a select committee, to consider and report thereon.

*Ordered*, That Messrs. Smith, of Maryland, Gregg, and Bradley, be the committee.

The bill to erect a light-house at the entrance of Scituate harbor; a stone column on the spit of sand at the entrance into Boston harbor; and a beacon on Beach Point, near Plymouth harbor, in the state of Massachusetts; a light at the entrance of Bayou St. John, into Lake Ponchartrain; and a light on Bird Island, near the eastern extremity of Lake Erie; was read the second time.

On motion, by Mr. Lloyd,

*Resolved*, That it be referred to a select committee, to consist of five members, to consider and report thereon.

*Ordered*, That Messrs. Lloyd, Smith, of Maryland, Gregg, Bradley, and Meigs, be the committee.

On motion, by Mr. Brent,

*Resolved*, That the bill, entitled "An act to amend an act, entitled 'An act for the establishment of a turnpike company in the county of Alexandria, in the District of Columbia,'" be recommitted to a select committee, further to consider and report thereon.

*Ordered*, That Messrs. Brent, Robinson, and Pope, be the committee.

A message from the House of Representatives, by Mr. Magruder, their Clerk:

*Mr. President*: The House of Representatives agree to some, and disagree to other, amendments of the Senate to the bill, entitled "An act regulating the post office establishment." The President of the United States, on the 11th instant, approved and signed "An act for the relief of Tristram Hussey;" also, on the 12th instant, "An act to alter and amend an act, entitled 'An act providing for the third census or enumeration of the inhabitants of the United States.'" And he withdrew.

The Senate proceeded to consider the amendments disagreed to by the House of Representatives to the bill, entitled "An act regulating the post office establishment;" and,

On motion, by Mr. Anderson,

*Resolved*, That they insist on their fourth amendment; that they recede from their sixth and eighth amendments; and agree to the modification of the ninth amendment.

*Ordered*, That the Secretary notify the House of Representatives accordingly.

The bill for the establishment of a quartermaster's department was read the third time as amended; and some of the blanks having been filled,

On motion, by Mr. Pickering,

*Resolved*, That it be recommitted to a select committee, further to consider and report thereon.

*Ordered*, That Messrs. Pickering, Anderson, and Leib, be the committee.

The Senate resumed, as in committee of the whole, the bill, entitled "An act for the relief of John Thompson."

On motion, by Mr. Hillhouse,

*Ordered*, That the further consideration thereof be postponed.

On motion, by Mr. Hillhouse,

*Resolved*, That the petition of John Thompson, together with his account against the United States for moneys advanced in the Revolutionary war, and the vouchers accompanying the same, be referred to the Secretary for the Department of the Treasury, to examine and report the facts and his opinion thereon.

Mr. Pickering, from the committee to whom was recommitted the bill for the establishment of a quartermaster's department, reported it with amendments.

The bill, entitled "An act for the relief of William Baynham," was read the third time.

*Resolved*, That this bill pass.

*Ordered*, That the Secretary acquaint the House of Representatives with the concurrence of the Senate in this bill.

The Senate resumed, as in committee of the whole, the bill concerning the society of the order of La Trappe; and, having amended the bill, the President reported it to the House accordingly.

On the question, Shall this bill be engrossed and read the third time as amended?

It was determined in the affirmative.

After the consideration of the Executive business,

The Senate adjourned to 11 o'clock to-morrow morning; to which time the several orders of the day were postponed.

### SATURDAY, APRIL 14, 1810.

Mr. Brent, from the committee to whom was recommitted the bill, entitled "An act to amend an act, entitled 'An act for the establishment of a turnpike company in the county of Alexandria, in the District of Columbia,'" reported it with an amendment; which was considered as in committee of the whole and agreed to; and the President reported the bill to the House accordingly:

On the question, Shall this bill be read a third time as amended?

It was determined in the affirmative.

On motion, by Mr. Smith, of Maryland,

It was agreed that the further consideration of the bill making provision for the establishment of a national bank be the order of the day for Monday next.

The bill, entitled "An act to alter the times of holding the circuit court of the United States for the district of Maryland," was read the second time.

On motion, by Mr. Smith, of Maryland,

*Resolved*, That it be referred to a select committee, to consider and report thereon.

*Ordered*, That Messrs. Smith, of Maryland, Horsey, and Clay, be the committee.

A message from the House of Representatives, by Mr. Magruder, their Clerk:

*Mr. President*: The House of Representatives concur in the amendment of the Senate to the bill, entitled "An act authorizing the discharge of John Kerr from his imprisonment." They have passed a bill, entitled "An act for the relief of Margaret Lapsley, Grove Pomeroy, Arthur St. Clair, David Blackwell, Lucy Dixon, and John Murray," in which bill they desire the concurrence of the Senate. And he withdrew.

The bill last brought up for concurrence was read and passed to a second reading.

Mr. Franklin, from the committee to whom was referred the bill, entitled "An act concerning invalid pensioners," reported it with amendments.

Mr. Gilman, from the committee, reported the bill concerning the society of the order of La Trappe, correctly engrossed; and the bill was read the third time.

*Ordered*, That the Secretary request the concurrence of the House of Representatives in this bill.

On the question, Shall this bill be engrossed and read a third time as amended?

It was determined in the affirmative.

On the question, Shall this bill be engrossed and read a third time as amended?

It was determined in the affirmative.

On motion, by Mr. Smith, of Maryland,

*Ordered*, That Messrs. Smith, of Maryland, German, and Champlin, be the committee.

On motion,

A message from the House of Representatives, by Mr. Magruder, their Clerk:

Mr. Gilman, from the committee, reported the bill for the establishment of a quartermaster's department, correctly engrossed. He also reported, from the committee, the bill for the erection of certain light-houses correctly engrossed; and

On motion, by Mr. Lloyd,

*Resolved*, That this bill pass, and that the title thereof be "An act to erect a light-house at the entrance of Scituate harbor; a stone column on a spit of sand at the entrance into Boston harbor; and a beacon on Beach Point near Plymouth harbor, in the state of Massachusetts; a light at the entrance of the Bayou St. John, into Lake Ponchartrain, and two lights on Lake Erie."

The Senate resumed, as in committee of the whole, the bill, entitled "An act to examine into the title of the batture in front of the suburb St. Mary."

On motion, by Mr. Anderson,

It was determined in the affirmative,

{ Yeas . . . . .	17,
{ Nays . . . . .	14.

On motion, by Mr. Clay,

On motion, by Mr. Clay,  
The yeas and nays having been required by one-fifth of the Senators present,

Those who voted in the affirmative, are,

Those who voted in the affirmative, are,  
Messrs. Anderson, Bradley, Campbell, Crawford, Franklin, Gaillard, Gilman, Gregg,  
Hillhouse, Lloyd, Mathewson, Meigs, Pickering, Robinson, Tait, Turner, and Whiteside.

Those who voted in the negative, are,

Those who voted in the negative, are,  
Messrs. Brent, Champlin, Clay, Condit, German, Goodrich, Horsey, Lambert, Leib,  
Pope, Reed, Smith, of Maryland, Smith, of New York, and Sumner.

On motion, by Mr. Clay,

To insert, in lieu of the words stricken out, the following words: "together with the laws, usages, edicts, or customs, upon which the said title may depend, and which they shall also collect and arrange:"

It was determined in the affirmative, { Yeas . . . . . 18,  
Nays . . . . . 13.

On motion, by Mr. Gregg,

The yeas and nays having been required by one-fifth of the Senators present,

Those who voted in the affirmative, are,

Messrs. Brent, Champlin, Clay, Condit, Gaillard, German, Gilman, Goodrich, Horsey, Lambert, Leib, Meigs, Pope, Reed, Smith, of Maryland, Smith, of New York, Tait, and Whiteside.

Those who voted in the negative, are,

Messrs. Anderson, Bradley, Campbell, Crawford, Franklin, Gregg, Hillhouse, Lloyd, Mathewson, Pickering, Robinson, Sumter, and Turner.

The bill having been further amended, the President reported it to the House accordingly.

On the question, Shall this bill be read a third time as amended?

It was determined in the affirmative, { Yeas . . . . . 15,  
Nays . . . . . 15.

On motion, by Mr. Franklin,

The yeas and nays having been required by one-fifth of the Senators present,

Those who voted in the affirmative, are,

Messrs. Brent, Champlin, Clay, Condit, Gaillard, German, Gilman, Goodrich, Horsey, Leib, Meigs, Pope, Reed, Smith, of Maryland, and Smith, of New York.

Those who voted in the negative, are,

Messrs. Anderson, Bradley, Crawford, Franklin, Gregg, Hillhouse, Lambert, Lloyd, Mathewson, Pickering, Robinson, Sumter, Tait, Turner, and Whiteside.

The Senate being equally divided, the President determined the question in the affirmative.

After the consideration of the Executive business,

The Senate adjourned to 11 o'clock on Monday morning; to which time the several orders of the day were postponed.

### MONDAY, APRIL 16, 1810.

Mr. Gilman, from the committee, reported the amendments to the bill, entitled "An act to examine into the title of the batture in front of the suburb St. Mary," correctly engrossed. He also reported, from the committee, the amendment to the bill, entitled "An act to amend an act, entitled 'An act for the establishment of a turnpike company in the county of Alexandria, in the District of Columbia,'" correctly engrossed.

On motion, by Mr. Bradley,

*Resolved*, That the bill, entitled "An act for the relief of William W. Weymouth and Joseph P. Weeks," be referred to a select committee, to consider and report thereon.

*Ordered*, That Messrs. Bradley, Pope, and Gregg, be the committee.

Mr. Smith, of Maryland, presented the petition of Peter F. Duberery, stating that he is owner of the brigantine Alexandrine, seized for an alleged breach of the revenue laws, and praying relief, for reasons stated at large in the petition; which was read; and

*Ordered*, That it be referred to the committee last mentioned, to consider and report thereon.

The bill brought up on Saturday last from the House of Representatives, entitled "An act providing for the sale of certain lands in the Indiana territory, and for other purposes," was read and passed to the second reading.

Mr. Bradley, from the committee to whom was referred the bill, entitled "An act authorizing a detachment from the militia of the United States," reported it without amendment.

The bill, entitled "An act for the relief of Margaret Lapsley, Grove Pomeroy, Arthur St. Clair, David Blackwell, Lucy Dixon, and John Murray," was read the second time.

On motion,

*Resolved*, That it be referred to a select committee, to consider and report thereon.

*Ordered*, That Messrs. Crawford, Leib, and Bradley, be the committee.

The bill, entitled "An act to examine into the title of the batture in front of the suburb St. Mary," was read the third time.

On the question, Shall this bill pass as amended?

It was determined in the affirmative, { Yeas . . . . . 16,  
Nays . . . . . 15.

On motion, by Mr. Gregg,

The yeas and nays having been required by one-fifth of the Senators present,

Those who voted in the affirmative, are,

Messrs. Bayard, Brent, Champlin, Clay, Condit, Gaillard, German, Gilman, Goodrich, Horsey, Leib, Meigs, Pope, Reed, Smith, of Maryland, and Smith, of New York.

Those who voted in the negative, are,

Messrs. Anderson, Bradley, Crawford, Franklin, Giles, Gregg, Hillhouse, Lambert, Lloyd, Pickering, Robinson, Sumter, Tait, Turner, and Whiteside.

So it was

*Resolved*, That this bill pass with amendments.

*Ordered*, That the Secretary request the concurrence of the House of Representatives therein.

The bill for the establishment of a quartermaster's department was read the third time as amended; and the blank having been filled with the words "fifteen hundred,"

*Resolved*, That this bill pass, and that the title thereof be "An act for the establishment of a quartermaster's department."

*Ordered*, That the Secretary request the concurrence of the House of Representatives in this bill.

On motion,

The Senate took into consideration the resolution of the House of Representatives requesting a conference on the disagreeing votes of the two Houses on the bill, entitled "An act regulating the post office establishment;" and, having agreed thereto,

*Ordered*, That Messrs. Goodrich, Franklin, and Reed, be the managers on the part of the Senate.

*Ordered*, That the Secretary notify the House of Representatives accordingly.

A message from the House of Representatives, by Mr. Magruder, their Clerk:

*Mr. President*: The House of Representatives have passed the bill sent from the Senate, entitled "An act to incorporate a company for making certain turnpike roads in the District of Columbia." And he withdrew.

The engrossed bill, entitled "An act to amend an act, entitled 'An act for the establishment of a turnpike company in the county of Alexandria, in the District of Columbia,'" was read the third time as amended.

*Resolved*, That this bill pass with an amendment.

*Ordered*, That the Secretary request the concurrence of the House of Representatives therein.

The Senate resumed, as in committee of the whole, the bill making provision for the establishment of a national bank; and, after debate,

On motion,

The Senate adjourned to 11 o'clock to-morrow morning; to which time the several orders of the day were postponed.

## TUESDAY, APRIL 17, 1810.

The Vice President being absent, the Senate proceeded to the election of a President pro tempore, as the constitution provides; and the Honorable John Gaillard was elected.

On motion, by Mr. Franklin,

*Ordered*, That the Secretary wait on the President of the United States and acquaint him that the Senate have, in the absence of the Vice President, elected the Honorable John Gaillard President of the Senate pro tempore.

*Ordered*, That the Secretary make a like communication to the House of Representatives.

Mr. Meigs presented the petition of Robert Robinson, stating that on the 1st of January, 1805, he was appointed clerk to the board of commissioners (of land claims) in the district of Kaskaskia, and that he continued to discharge the duties of that office until the final adjudication of the claims pending, and praying compensation for his services, for reasons stated at large in the petition; which was read; and

On motion, by Mr. Meigs,

*Resolved*, That it be referred to a select committee, to consider and report thereon by bill or otherwise.

*Ordered*, That Messrs. Meigs, Bradley, and Franklin, be the committee.

Mr. Clay, from the committee to whom was referred, on the 10th instant, the petition of Elisha Winters, made report; and the report was read.

Mr. Bayard presented the resolution of the legislature of the state of Delaware, disapproving the proposition of the legislature of the state of Massachusetts for an amendment to the constitution of the United States on the subject of embargoes; which was read.

The President communicated a statement from the Secretary for the Department of the Treasury of the outstanding revenue bonds, made in obedience to the resolution of the Senate of the 13th instant; which was read; and

*Ordered*, That it lie for consideration.

Mr. Clay presented the petition of William Harding, senior, of the state of Kentucky, praying compensation for his expenditures during the late Indian war in the western country; and, also, for personal services and sufferings, as stated at large in his petition; which was read; and,

On motion, by Mr. Clay,

*Resolved*, That it be referred to a select committee, to consider and report thereon.

*Ordered*, That Messrs. Clay, Hillhouse, and Bradley, be the committee.

Mr. Whiteside, from the committee appointed on the subject, reported a bill supplementary to an act, entitled "An act for the relief of persons imprisoned for debt;" which was read and passed to the second reading.

Mr. Whiteside, from the committee, reported that they had examined and found duly enrolled the bill, entitled "An act for the relief of William Baynham;" also, the bill, entitled "An act authorizing the discharge of John Kerr from his imprisonment;" also, the enrolled bill, entitled "An act to incorporate a company for making certain turnpike roads in the District of Columbia."

The bill, entitled "An act providing for the sale of certain lands in the Indiana territory, and for other purposes," was read the second time.

On motion, by Mr. Anderson,

*Resolved*, That it be referred to a select committee, to consider and report thereon.

*Ordered*, That Messrs. Anderson, Hillhouse, and Gregg, be the committee.

Mr. German gave notice that, to-morrow, he should ask leave to bring in a bill for the relief of Isaac Clason.

The Senate resumed, as in committee of the whole, the bill making provision for the establishment of a national bank; and

A motion was made, by Mr. Hillhouse, to strike out the first section of the bill; and

A proposition was also made, by Mr. Pope, to strike out, after the enacting words, the residue of the bill, for the purpose of introducing a substitute; and, after debate,

On motion, by Mr. Anderson,

It was agreed that the further consideration of the bill be postponed until to-morrow.

After the consideration of the Executive business,

The Senate adjourned to 11 o'clock to-morrow morning; to which time the several orders of the day were postponed.

### WEDNESDAY, APRIL 18, 1810.

A message from the House of Representatives, by Mr. Magruder, their Clerk:

*Mr. President*: The House of Representatives concur in the amendment of the Senate to the bill, entitled "An act to amend an act, entitled 'An act for the establishment of a turnpike company in the county of Alexandria, in the District of Columbia.'" They disagree to the amendments of the Senate to the bill, entitled "An act to examine into the title of the batture in front of the suburb St. Mary." They have passed a bill, entitled "An act to allow the benefit of drawback on merchandise transported by land conveyance from Newport to Boston, and from Boston to Newport, in like manner as if the same were transported coastwise;" in which bill they desire the concurrence of the Senate. The Speaker of the House of Representatives having signed three enrolled bills, I am directed to bring them to the Senate for the signature of their President. And he withdrew.

The President signed the three enrolled bills last reported to have been examined, and they were delivered to the committee, to be laid before the President of the United States.

The bill last brought up for concurrence was read, and passed to the second reading.

Pursuant to notice, Mr. German asked and obtained leave to bring in a bill for the relief of Isaac Clason; which was read and passed to the second reading.

The bill supplementary to an act, entitled "An act for the relief of persons imprisoned for debt," was read the second time.

On the question, Shall this bill be engrossed and read a third time?

It was determined in the affirmative.

Mr. Smith, of Maryland, from the committee to whom was referred the bill, entitled "An act to establish post roads," reported it with amendments.

The Senate proceeded to consider the amendments disagreed to by the House of Representatives to the bill, entitled "An act to examine into the title to the batture in front of the suburb St. Mary."

On motion, by Mr. Whiteside,

That the further consideration thereof be postponed to the first Monday in December next,

It was determined in the negative, { Yeas . . . . . 13,  
{ Nays . . . . . 17.

On motion, by Mr. Crawford,

The yeas and nays having been required by one-fifth of the Senators present,

Those who voted in the affirmative, are,

Messrs. Anderson, Bradley, Campbell, Crawford, Franklin, Gregg, Hillhouse, Mathewson, Pickering, Sumter, Tait, Turner, and Whiteside.

Those who voted in the negative, are,

Messrs. Bayard, Brent, Champlin, Clay, Condit, Gaillard, German, Giles, Gilman, Goodrich, Horsey, Lambert, Leib, Lloyd, Reed, Smith, of Maryland, and Smith, of New York.

On motion, by Mr. Clay,

That the Senate recede from their amendments to the said bill—

Mr. Pope called for a division of the question; and it was taken on their first amendment,

And determined in the negative, { Yeas . . . . . 10,  
{ Nays . . . . . 22.

On motion,

The yeas and nays having been required by one-fifth of the Senators present,

Those who voted in the affirmative, are,

Messrs. Bayard, Brent, Champlin, Clay, Condit, German, Gilman, Goodrich, Horsey, and Smith, of New York.

Those who voted in the negative, are,

Messrs. Anderson, Bradley, Campbell, Crawford, Franklin, Gaillard, Giles, Gregg, Hillhouse, Lambert, Leib, Lloyd, Mathewson, Meigs, Pickering, Pope, Reed, Smith, of Maryland, Sumter, Tait, Turner, and Whiteside.

On motion, by Mr. Clay,

That the Senate recede from their other amendment to the said bill,

It was determined in the negative, { Yeas . . . . . 13,  
{ Nays . . . . . 19.

On motion, by Mr. Anderson,

The yeas and nays having been required by one-fifth of the Senators present,

Those who voted in the affirmative, are,

Messrs. Bayard, Brent, Champlin, Clay, Condit, German, Goodrich, Horsey, Lambert, Pope, Reed, Smith, of Maryland, and Smith, of New York.

Those who voted in the negative, are,

Messrs. Anderson, Bradley, Campbell, Crawford, Franklin, Gaillard, Giles, Gilman, Gregg, Hillhouse, Leib, Lloyd, Mathewson, Meigs, Pickering, Sumter, Tait, Turner, and Whiteside.

On motion, by Mr. Bradley,

*Resolved*, That the Senate adhere to their amendments to the said bill.

*Ordered*, That the Secretary notify the House of Representatives accordingly.

The President communicated a report of the Secretary for the Department of the Treasury on the petition of John Thompson, made in pursuance of the resolution of the Senate of the 13th instant; which was read.

*Ordered*, That it lie for consideration.

The Senate resumed, as in committee of the whole, the bill, entitled "An act for the relief of John Thompson;" and

On the question, Shall this bill be read a third time?

It was determined in the affirmative, { Yeas . . . . . 21,  
{ Nays . . . . . 8.

On motion,

The yeas and nays having been required by one-fifth of the Senators present,

Those who voted in the affirmative, are,

Messrs. Anderson, Bayard, Bradley, Brent, Campbell, Champlin, Clay, Condit,

Gaillard, German, Giles, Gilman, Gregg, Horsey, Lambert, Mathewson, Meigs, Pope, Reed, Smith, of Maryland, and Sumter.

Those who voted in the negative, are,  
Messrs. Crawford, Franklin, Hillhouse, Leib, Pickering, Smith, of New York, Tait, and Turner.

The Senate resumed, as in committee of the whole, the consideration of the amendments reported by the select committee to the bill, entitled "An act concerning invalid pensioners;" and having agreed thereto,

The President reported the bill to the House amended accordingly.

On the question, Shall this bill be read a third time as amended?

It was determined in the affirmative.

The Senate resumed, as in committee of the whole, the bill making provision for the establishment of a national bank.

On motion, by Mr. Hillhouse,

To strike out the first section of the bill,

The Senate was equally divided—yeas 15, nays 15.

On motion, by Mr. Hillhouse,

The yeas and nays having been required by one-fifth of the Senators present,

Those who voted in the affirmative, are,

Messrs. Brent, Champlin, German, Gilman, Goodrich, Hillhouse, Horsey, Lloyd, Meigs, Pickering, Pope, Reed, Smith, of New York, Tait, and Whiteside.

Those who voted in the negative, are,

Messrs. Anderson, Bayard, Bradley, Clay, Condit, Crawford, Franklin, Gaillard, Giles, Gregg, Lambert, Leib, Smith, of Maryland, Sumter, and Turner.

So the question was lost.

After debate,

On motion, by Mr. Smith, of Maryland,

It was agreed that the further consideration of the bill be postponed until to-morrow.

Mr. Smith, of Maryland, presented the petition of Mary S. Tyson, of Baltimore, stating that she is possessed of a loan office certificate for the sum of two thousand dollars, which remains unliquidated and outstanding, and praying relief; and the petition was read.

On motion, by Mr. Smith, of Maryland,

*Ordered*, That it be referred to the committee to whom was referred, on the 16th instant, the bill, entitled "An act for the relief of Margaret Lapsley and others," to consider and report thereon.

After the consideration of the Executive business,

The Senate adjourned to 11 o'clock to-morrow morning; to which time the several orders of the day were postponed.

#### THURSDAY, APRIL 19, 1810.

Mr. Leib submitted the following motion for consideration:

*Resolved*, That the Secretary of the Senate be authorized to pay, out of the contingent fund of this House, to Henry Miller, Tobias Simpson, and Bayley Hudson, the sum of — dollars each, in addition to their usual compensation.

Mr. Goodrich, from the managers at the conference on the bill, entitled "An act regulating the post office establishment," reported that they could come to no agreement with the managers on the part of the House of Representatives.

Mr. Giles, from the committee to whom were referred two resolutions of the 6th instant, made report; which was read.

Whereupon,

*Resolved*, That the committee be discharged from the further consideration of the subject.

Mr. Whiteside, from the committee, reported that they did, this day, lay before the President of the United States the enrolled bill, entitled "An act authorizing the discharge of John Kerr from his imprisonment;" the enrolled bill, entitled "An act for the relief of William Baynham;" also, the enrolled bill, entitled "An act to incorporate a company for making certain turnpike roads in the District of Columbia;" and that they had this day examined and found duly enrolled the bill, entitled "An act to amend an act, entitled 'An act for the establishment of a turnpike company in the county of Alexandria, in the District of Columbia.'"

The bill for the relief of Isaac Clason was read the second time.

On motion, by Mr. German,

*Resolved*, That it be referred to a select committee, to consider and report thereon

*Ordered*, That Messrs. Bayard, Bradley, and German, be the committee.

The bill, entitled "An act to allow the benefit of drawback on merchandise transported by land conveyance from Newport to Boston, and from Boston to Newport, in like manner as if the same were transported coastwise," was read the second time.

*Ordered*, That this bill pass to the third reading.

On motion, by Mr. Smith, of Maryland,

The Senate resumed the consideration of the bill, entitled "An act for the relief of Moses Young;" and, after debate,

*Ordered*, That this bill pass to the third reading.

Mr. Gilman, from the committee, reported the bill supplementary to an act, entitled "An act for the relief of persons imprisoned for debt," correctly engrossed; and the bill was read the third time; and the blank having been filled with the word "eight,"

On the question, Shall this bill pass?

It was determined in the affirmative, { Yeas . . . . . 14,  
Nays . . . . . 13.

On motion, by Mr. Reed,

The yeas and nays having been required by one-fifth of the Senators present,

Those who voted in the affirmative, are,

Messrs. Bayard, Brent, Campbell, Champlin, Franklin, Gaillard, Gregg, Leib, Mathewson, Pope, Robinson, Smith, of Maryland, Tait, and Whiteside.

Those who voted in the negative, are,

Messrs. Condit, Crawford, German, Giles, Goodrich, Hillhouse, Horsey, Lambert, Lloyd, Pickering, Reed, Smith, of New York, and Turner.

So it was

*Resolved*, That this bill pass, and that the title thereof be "An an act supplementary to an act, entitled 'An act for the relief of persons imprisoned for debt.'"

*Ordered*, That the Secretary request the concurrence of the House of Representatives in this bill.

Mr. Gilman, from the committee, also reported the amendments to the bill, entitled "An act concerning invalid pensioners," correctly engrossed; and the bill was read the third time as amended; and,

On motion, by Mr. Pope,

Further amended by unanimous consent.

*Resolved*, That this bill pass with amendments.

*Ordered*, That the Secretary request the concurrence of the House of Representatives therein.

The Senate resumed, as in committee of the whole, the bill, entitled "An act for the relief of Elizabeth Hamilton," together with the amendment proposed thereto. And, after debate,

On motion, by Mr. Robinson,

*Ordered*, That the further consideration thereof be postponed until to-morrow.

The bill, entitled "An act for the relief of John Thompson," was read the third time.

On the question, Shall this bill pass?

It was determined in the negative.

*Ordered*, That the Secretary notify the House of Representatives that the Senate do not concur in this bill.

A message from the House of Representatives, by Mr. Magruder, their Clerk:

*Mr. President*: The House of Representatives have passed a resolution rescinding the resolution of the 4th of April, fixing the time for the adjournment of Congress to the 23d instant, and authorizing the President of the Senate and Speaker of the House of Representatives to adjourn their respective houses on the first day of May next; in which resolution they desire the concurrence of the Senate.

The Speaker of the House of Representatives having signed an enrolled bill, I am directed to bring it to the Senate, for the signature of their President. And he withdrew.

The resolution last brought up for concurrence was read and passed to the second reading.

The President signed the enrolled bill last reported to have been examined, and it was delivered to the committee, to be laid before the President of the United States.

The Senate resumed, as in committee of the whole, the bill to enable the people of the territory of Orleans to form a constitution and state government, and for the admission of such state into the Union, on an equal footing with the original states, and for other purposes; and,

On motion, by Mr. Clay,

*Ordered*, That the further consideration thereof be the order of the day for to-morrow.

The Senate resumed, as in committee of the whole, the bill, entitled "An act to establish post roads," together with the amendments proposed thereto; and, having agreed to the amendments reported by the select committee, and further amended the bill, the President reported it to the house accordingly.

On the question, Shall this bill be read the third time as amended?

It was determined in the affirmative.

On motion,

The Senate adjourned to 11 o'clock to-morrow morning; to which time the several orders of the day were postponed.

#### FRIDAY, APRIL 20, 1810.

The resolution to authorize the Secretary of the Senate to pay, out of the contingent fund, to Henry Miller and others ——— dollars each, was read the second time.

On motion, by Mr. Turner,

To amend the resolution, so as to include the chaplains,

It passed in the negative.

*Ordered*, That the resolution pass to a third reading.

A message from the House of Representatives, by Mr. Magruder, their Clerk:

*Mr. President*: The House of Representatives have passed the bill, entitled "An act concerning the commercial intercourse between the United States and Great Britain and France, and their dependencies, and for other purposes," in which they desire the concurrence of the Senate. And he withdrew.

The bill last brought up for concurrence was read and passed to the second reading.

Mr. Gilman, from the committee, reported the amendments to the bill, entitled "An act to establish post roads," correctly engrossed; and the bill was read the third time as amended; and,

On motion, by Mr. Turner,

It was agreed, by unanimous consent, further to amend the bill.

*Resolved*, That this bill pass with amendments.

*Ordered*, That the Secretary request the concurrence of the House of Representatives therein.

The resolution of the House of Representatives, prolonging the session to the first day of May next, was read the second time.

*Ordered*, That it pass to the third reading

On motion, by Mr. Smith, of Maryland,

*Ordered*, That John Thompson have leave to withdraw his petition and papers.

The Senate resumed the consideration of the motion made on the 18th of January, for an amendment to the constitution of the United States respecting titles of nobility, together with the amendments proposed thereto; and, after debate,

On motion, by Mr. Bradley,

The further consideration thereof was postponed; and,

On motion, by Mr. Reed,

Made the order of the day for Monday next,

The bill, entitled "An act to allow the benefit of drawback on merchandise transported by land conveyance from Newport to Boston, and from Boston to Newport, in like manner as if the same were transported coastwise," was read the third time.

*Resolved*, That this bill pass.

*Ordered*, That the Secretary acquaint the House of Representatives with the concurrence of the Senate in this bill.

The bill, entitled "An act for the relief of Moses Young," was read the third time.

*Resolved*, That this bill pass.

*Ordered*, That the Secretary acquaint the House of Representatives with the concurrence of the Senate in this bill.

Mr. Crawford, from the committee to whom was referred the bill, entitled "An act for the relief of Margaret Lapsley, Grove Pomeroy, Arthur St. Clair, David Blackwell, Lucy Dixon, and John Murray," reported it without amendment.

A message from the President of the United States, by Mr. Coles, his Secretary:

*Mr. President*: The President of the United States this day approved and signed "An act to incorporate a company for making certain turnpike roads in the District of Columbia."



The Senate resumed the consideration of the bill, entitled "An act providing for the printing and distribution of such laws of the United States as respect the public lands."

On the question, Shall this bill be read the third time?  
It was determined in the affirmative.

On motion,

On motion,  
The Senate resumed, as in committee of the whole, the bill, entitled "An act for the relief of Elizabeth Hamilton," together with the amendment proposed thereto; and by permission,

Mr. Bradley having withdrawn his amendment,

Mr. Bradley having withdrawn his amendment,  
On the question, Shall this bill be read the third time?  
6 Yeas

On the question, Shall this bill be read the third time?		
It was determined in the negative,	{ Yeas . . . . .	12,
	{ Nays . . . . .	16.

On motion,

On motion,  
The yeas and nays having been required by one-fifth of the Senators present,

Those who voted in the affirmative, are,

Those who voted in the affirmative, are,  
Messrs. Bayard, Champlin, Giles, Gilman, Goodrich, Hillhouse, Horsey, Lloyd,  
Meigs, Pickering, Reed, and Smith, of Maryland,

Those who voted in the negative, are,

Those who voted in the negative, are,  
Messrs. Anderson, Bradley, Condit, Crawford, Franklin, Gaillard, German, Gregg,  
Lambert, Leib, Mathewson, Robinson, Smith, of New York, Tait, Turner, and  
Whiteside.

So the bill was lost.

*Ordered*, That the Secretary notify the House of Representatives accordingly.

On motion,

On motion,  
The Senate adjourned to 11 o'clock to-morrow morning; to which time the several orders of the day were postponed.

TUESDAY, APRIL 24, 1810.

Mr. Gilman, from the committee, reported the bill for continuing the charter of the bank of Alexandria, in the District of Columbia, correctly engrossed; and the bill was read the third time.

*Resolved*, That this bill pass, and that the title thereof be "An act for continuing the charter of the bank of Alexandria, in the District of Columbia."

*Ordered*, That the Secretary request the concurrence of the House of Representatives in this bill.

On motion, by Mr. Gilman,

On motion, by Mr. Gilman,  
*Resolved*, That there be an addition of one to the committee agreeably to the twenty-second rule for conducting business in the Senate, in place of Mr. Campbell, absent; and Mr. Horsey was appointed.

Mr. Leib presented the resolution of the legislature of the state of Pennsylvania, disapproving the proposition of the legislature of the state of Massachusetts for an amendment to the constitution of the United States on the subject of embargoes; which was read.

Mr. Meigs, from the committee to whom was referred, on the 17th instant, the petition of Robert Robinson, reported a bill allowing compensation to Robert Robinson; which bill was read and passed to the second reading.

Mr. Smith, of Maryland, from the committee to whom was referred the bill, entitled "An act concerning the commercial intercourse between the United States and Great Britain and France, and their dependencies, and for other purposes," reported it with amendments.

A message from the House of Representatives, by Mr. Magruder, their Clerk:

*Mr. President:* The House of Representatives concur in the amendments of the Senate to the bill, entitled "An act concerning invalid pensioners;" also, in the amendments of the Senate to the bill, entitled "An act to establish post roads." And he withdrew.

The Senate resumed, as in committee of the whole, the bill, entitled "An act providing for the better accommodation of the General Post Office and Patent Office, and for other purposes."

*Ordered*, That this bill pass to the third reading.

Mr. Bayard, from the committee to whom was referred the bill for the relief of Isaac Clason, reported it with an amendment.

The bill, entitled "An act providing for the printing and distribution of such laws of the United States as respect the public lands," was read the third time.

*Resolved, That this bill pass.*

The Senate resumed, as in committee of the whole, the bill for the relief of Isaac Clason, together with the amendment reported thereto by the select committee; and

having agreed to the amendment, the President reported the bill to the House accordingly.

On the question, Shall this bill be engrossed and read a third time as amended?

It was determined in the negative, { Yeas . . . . . 12,  
Nays . . . . . 17.

On motion,

The yeas and nays having been required by one-fifth of the Senators present,

Those who voted in the affirmative, are,

Messrs. Bayard, Clay, German, Giles, Goodrich, Horsey, Mathewson, Meigs, Reed, Robinson, Smith, of Maryland, and Smith, of New York.

Those who voted in the negative, are,

Messrs. Anderson, Bradley, Champlin, Condit, Crawford, Franklin, Gaillard, Gilman, Hillhouse, Lambert, Leib, Lloyd, Pickering, Pope, Sumter, Turner, and Whiteside.

The bill allowing compensation to Robert Robinson was read the second time.

On the question, Shall this bill be engrossed and read the third time?

It was determined in the affirmative.

The Senate resumed the bill, entitled "An act to alter the times of holding the circuit court of the United States for the district of Maryland."

On motion,

*Resolved*, That the further consideration thereof be postponed until the first Monday in December next.

*Ordered*, That the Secretary notify the House of Representatives accordingly.

The bill, entitled "An act providing for the better accommodation of the General Post Office and Patent Office, and for other purposes," was read the third time.

*Resolved*, That this bill pass.

*Ordered*, That the Secretary acquaint the House of Representatives with the concurrence of the Senate in this bill.

Mr. Whiteside, from the committee, reported that they this day laid before the President of the United States the enrolled bill, entitled "An act to amend the act, entitled 'An act for the establishment of a turnpike company in the county of Alexandria, in the District of Columbia,'" the enrolled bill, entitled "An act to allow the benefit of drawback on merchandise transported by land conveyance from Newport to Boston, and from Boston to Newport, in like manner as if the same were transported coastwise;" also, the enrolled bill, entitled "An act for the relief of Moses Young;" also,

That they had examined and found duly enrolled, the bill, entitled "An act concerning invalid pensioners;" also, the bill, entitled "An act providing for the printing and distribution of such laws of the United States as respect the public lands."

A message from the House of Representatives, by Mr. Magruder, their Clerk:

*Mr. President*: The House of Representatives have passed a bill, entitled "An act authorizing a loan of money for a sum not exceeding the amount of the principal of the public debt reimbursable during the year one thousand eight hundred and ten;" in which bill they desire the concurrence of the Senate. The Speaker of the House of Representatives having signed an enrolled bill, I am directed to bring it to the Senate for the signature of their President. And he withdrew.

The bill last brought up for concurrence was read and passed to the second reading.

The President signed the enrolled bill, entitled "An act providing for the printing and distribution of such laws of the United States as respect the public lands;" and it was delivered to the committee, to be laid before the President of the United States.

Mr. Giles, from the committee to whom was referred the bill to enable the people of the territory of Orleans to form a constitution and state government, and for the admission of such state into the Union on an equal footing with the original states, and for other purposes, reported it with amendments.

The Senate resumed, as in committee of the whole, the bill making provision for the establishment of a national bank.

On motion, by Mr. Bayard,

That the further consideration thereof be postponed until the first Monday in December next,

It was determined in the affirmative, { Yeas . . . . . 17,  
Nays . . . . . 14.

On motion,

The yeas and nays having been required by one-fifth of the Senators present,

Those who voted in the affirmative, are,

Messrs. Bayard, Bradley, Brent, Champlin, Crawford, German, Gilman, Goodrich, Hillhouse, Horsey, Lloyd, Pickering, Pope, Reed, Smith, of New York, Sumter, and Turner.

On motion,

THURSDAY, APRIL 26, 1810.

On the question, Shall this bill be read the third time as amended?

Messrs. Anderson, Brent, Clay, Condit, Crawford, Franklin, Gaillard, Giles, Gilman, Gregg, Lambert, Leib, Mathewson, Meigs, Pope, Smith, of Maryland, Sumter, Tait, Turner, and Whiteside.

On the question, Shall this bill be engrossed and read a third time as amended?

It was determined in the affirmative, { Yeas . . . . . 18,  
{ Nays . . . . . 9.

On motion,

The yeas and nays having been required by one-fifth of the Senators present,

Those who voted in the affirmative, are,

Those who voted in the affirmative, are,  
Messrs. Anderson, Brent, Clay, Condit, Crawford, Franklin, Gaillard, Giles, Gregg,  
Lambert, Lloyd, Mathewson, Meigs, Smith, of Maryland, Sumter, Tait, Turner, and  
Whiteside.

Those who voted in the negative, are,

Those who voted in the negative, are,  
Messrs. Champlin, German, Gilman, Goodrich, Hillhouse, Horsey, Leib, Pickering,  
and Reed.

The bill, entitled "An act authorizing a loan of money, for a sum not exceeding the amount of the principal of the public debt reimbursable during the year one thousand eight hundred and ten," was read the second time.

On motion,

On motion,  
*Resolved*, That it be referred to a select committee, to consist of five members, to consider and report thereon.

*Ordered*, That Messrs. Smith, of Maryland, Crawford, Lloyd, Franklin, and Hillhouse, be the committee.

The Senate resumed the consideration of the motion made on the 18th of January, for an amendment to the constitution of the United States, respecting titles of nobility, together with the amendments proposed thereto.

On motion,

On motion,  
That the further consideration thereof be postponed to the first Monday in December next,

er next,

It was determined in the negative,

{ Yeas . . . . .	8,
{ Nays . . . . .	20.

On motion,

On motion,  
The yeas and nays having been required by one-fifth of the Senators present,

Those who voted in the affirmative, are,

Those who voted in the affirmative, are,  
Messrs. Condit, Gilman, Gregg, Leib, Mathewson, Meigs, Tait, and Whiteside.

Those who voted in the negative, are,

Those who voted in the negative, are,  
Messrs. Anderson, Brent, Champlin, Clay, Crawford, Franklin, Gaillard, German,  
Goodrich, Hillhouse, Horsey, Lambert, Lloyd, Pickering, Pope, Reed, Smith, of Ma-  
ryland, Smith, of New York, Sumter, and Turner.

On motion,

On motion,  
To amend the last report of the select committee, so as to read as follows:

“If any citizen of the United States shall accept, claim, receive, or retain, any title of nobility, or honor, or shall, without the consent of Congress, accept any present, pension, office, or emolument, of any kind whatever, from any emperor, king, prince, or foreign power, such person shall cease to be a citizen of the United States, and shall be incapable of holding any office of trust or profit under them, or either of them:”

It was determined in the affirmative, { Yeas . . . . . 26,  
Nays . . . . . 1.

On motion,

On motion,  
The yeas and nays having been required by one-fifth of the Senators present,

Those who voted in the affirmative, are,

Those who voted in the affirmative, are,  
Messrs. Anderson, Brent, Champlin, Clay, Condit, Crawford, Franklin, Gaillard,  
German, Gilman, Goodrich, Hillhouse, Horsey, Lambert, Leib, Lloyd, Mathewson,  
Meigs, Pickering, Pope, Reed, Smith, of Maryland, Sumter, Tait, Turner, and White-  
side.

Mr. Smith, of New York, voted in the negative.

On motion, by Mr. Pope,

On motion, by Mr. Pope,  
To add to the resolution the following words: "And be subject to such other penalties and disabilities as may be provided by law:"

es and disabilities as may be provided by law:		
It was determined in the negative,	{ Yeas . . . . .	12,
	{ Nays . . . . .	14.

On motion,

On motion,  
The yeas and nays having been required by one-fifth of the Senators present,

Those who voted in the affirmative, are,

Those who voted in the affirmative, are,  
Messrs. Anderson, Brent, Clay, Gregg, Leib, Lloyd, Pickering, Pope, Reed, Sumter,  
Tait, and Turner.

Those who voted in the negative, are,  
Messrs. Champlin, Condit, Crawford, Franklin, Gaillard, German, Gilman, Goodrich, Hillhouse, Lambert, Mathewson, Smith, of Maryland, Smith, of New York, and Whiteside.

And the resolution having been further amended by inserting the words "and retain," after the words "accept," in the second instance, the President reported it to the house accordingly.

On the question, Shall this resolution be engrossed and read a third time as amended?

It was determined in the affirmative.

Mr. Clay gave notice that to-morrow he should ask leave to bring in a bill, a supplement to an act, entitled "An act for the punishment of certain crimes against the United States."

Mr. Gilman, from the committee, reported the amendments to the bill, entitled "An act providing for the sale of certain lands in the Indiana territory, and for other purposes," correctly engrossed.

After the consideration of the Executive business,

The Senate adjourned to 11 o'clock to-morrow morning; to which time the several orders of the day were postponed.

### FRIDAY, APRIL 27, 1810.

The Senate resumed, as in committee of the whole, the bill making further provision for the corps of engineers, together with the amendment reported thereto by the select committee.

On motion,

It was agreed that the further consideration thereof be postponed until Monday next.

The Senate resumed, as in committee of the whole, the bill appropriating a sum of money for procuring munitions of war, and for other purposes.

On motion,

*Resolved*, That it be referred to a select committee, to consider and report thereon.

*Ordered*, That Messrs. Smith, of Maryland, Gilman, and Clay, be the committee.

Mr. Smith, of Maryland, from the committee to whom was referred the bill, entitled "An act authorizing a loan of money for a sum not exceeding the amount of the principal of the public debt reimbursable during the year 1810," reported it with amendments.

Pursuant to notice, Mr. Clay asked and obtained leave to bring in a bill, a supplement to an act, entitled "An act for the punishment of certain crimes against the United States;" which bill was read and passed to the second reading.

The Senate resumed, as in committee of the whole, the bill for the preservation of peace, and maintenance of the authority of the United States in the ports, harbors, and waters, under their jurisdiction, together with the amendments reported thereto by the select committee.

On motion,

*Resolved*, That the further consideration thereof be postponed until the first Monday in December next.

The Senate resumed, as in committee of the whole, the bill, entitled "An act concerning the commercial intercourse between the United States and Great Britain and France, and their dependencies, and for other purposes," together with the amendments reported thereto by the select committee.

On the question to agree to so much of the report of the select committee as goes to strike out the 4th section of the original bill, and insert in lieu thereof a substitute:

Mr. Pope called for a division of the question, and it was taken on striking out, and

Passed in the affirmative,	{ Yeas . . . . .	18,
	{ Nays . . . . .	9.

On motion,

The yeas and nays having been required by one-fifth of the Senators present,

Those who voted in the affirmative, are,

Messrs. Anderson, Champlin, Crawford, Gaillard, German, Gilman, Goodrich, Hillhouse, Horsey, Lloyd, Mathewson, Pickering, Reed, Smith, of Maryland, Smith, of New York, Sumter, Tait, and Turner.

Those who voted in the negative, are,

Messrs. Clay, Condit, Franklin, Gregg, Lambert, Leib, Pope, Robinson, and Whiteside.

And, on the question to agree to insert the following as a substitute:

“SEC. 4. *And be it further enacted,* That the President of the United States be, and he hereby is, authorized, when he may deem it expedient, to employ the public armed vessels in protecting the commerce of the United States, and to issue instructions which shall be conformable to the laws and usages of nations, for the government of the ships which may be employed in that service:”

It was determined in the affirmative, { Yeas . . . . . 20,  
Nays . . . . . 8.

On motion, by Mr. Crawford,

The yeas and nays having been required by one fifth of the Senators present,

Those who voted in the affirmative, are,

Messrs. Anderson, Bayard, Champlin, Clay, Gaillard, German, Gilman, Goodrich, Hillhouse, Horsey, Leib, Mathewson, Meigs, Pickering, Pope, Reed, Robinson, Smith, of Maryland, Tait, and Whiteside.

Those who voted in the negative, are,

Messrs. Crawford, Franklin, Gregg, Lambert, Lloyd, Smith, of New York, Sumter, and Turner.

On motion, by Mr. Hillhouse,

To strike out the 5th section of the original bill, as amended,

It was determined in the negative,  $\left\{ \begin{array}{l} \text{Yeas} \dots\dots\dots 7, \\ \text{Nays} \dots\dots\dots 20. \end{array} \right.$

On motion,

The yeas and nays having been required by one-fifth of the Senators present,

Those who voted in the affirmative, are,

Messrs. Bayard, Goodrich, Hillhouse, Horsey, Lambert, Lloyd, and Pickering.

Those who voted in the negative, are,

Messrs. Anderson, Brent, Champlin, Clay, Condit, Crawford, Franklin, Gaillard, German, Gilman, Leib, Mathewson, Meigs, Pope, Reid, Smith, of Maryland, Smith, of New York, Sumter, Tait, and Whiteside.

On motion, by Mr. Whiteside,

To add to the bill an additional section, in the following words:

“*And be it further enacted, That, from and after the passage of this act, an addition of ——— per centum shall be made to the duties now imposed by law on all goods, wares, and merchandise, which may be imported into the United States, or any territory thereof; which additional duties shall be levied and collected in the same manner, and under the same regulations and allowance as to drawbacks, mode of security, and time of payment, respectively, as are already prescribed by law in relation to the duties now in force on the importation of goods, wares, and merchandise:*”

It was determined in the negative, { Yeas . . . . . 6,  
Nays . . . . . 19.

On motion,

The yeas and nays having been required by one-fifth of the Senators present,

Those who voted in the affirmative, are,

Messrs. Anderson, Clay, Condit, Franklin, Lambert, Leib, Meigs, Pope, and White-  
side.

Those who voted in the negative, are,

Messrs. Bayard, Brent, Champlin, Crawford, Gaillard, German, Gilman, Goodrich, Hillhouse, Horsey, Lloyd, Mathewson, Pickering, Reed, Smith, of Maryland, Smith, of New York, Sumter, Tait, and Turner.

And having agreed to several other amendments, reported by the select committee, and further amended the bill, the President reported it to the House accordingly.

On the question, Shall this bill be read the third time as amended?

It was determined in the affirmative,	{ Yeas . . . . .	21,
	{ Nays . . . . .	7.

On motion,

The yeas and nays having been required by one-fifth of the Senators present,

Those who voted in the affirmative, are,

Messrs. Anderson, Bayard, Brent, Champlin, Clay, Condit, Franklin, Gaillard, German, Gilman, Lambert, Leib, Mathewson, Meigs, Pope, Reed, Smith, of Maryland, Smith, of New York, Sumter, Tait, and Whiteside.

Those who voted in the negative, are,

Messrs. Crawford, Goodrich, Hillhouse, Horsey, Lloyd, Pickering, and Turner.

Mr. Gilman, from the committee, reported the bill to enable the people of the territory of Orleans to form a constitution and state government, and for the admission of such state into the Union on an equal footing with the original states, and for other purposes, correctly engrossed; and the bill was read the third time; and,

On motion, by Mr. Meigs,

It was agreed, by unanimous consent, to amend the bill, by adding, at the end of the fourth section, the following words: "And that no tax shall be imposed on land, the property of the United States."

On the question, Shall this bill pass as amended?

It was determined in the affirmative, { Yeas . . . . . 15,  
Nays . . . . . 8.

On motion,

The yeas and nays having been required by one-fifth of the Senators present,

Those who voted in the affirmative, are,

Messrs. Anderson, Condit, Crawford, Franklin, Gaillard, Gregg, Lambert, Leib, Mathewson, Meigs, Smith, of Maryland, Smith, of New York, Tait, Turner, and Whiteside.

Those who voted in the negative, are,

Messrs. Champlin, German, Gilman, Goodrich, Hillhouse, Lloyd, Pickering, and Reed.

So it was

*Resolved*, That this bill pass, and that the title thereof be "An act to enable the people of the territory of Orleans to form a constitution and state government, and for the admission of such state into the Union on an equal footing with the original states, and for other purposes."

*Ordered*, That the Secretary request the concurrence of the House of Representatives in this bill.

Mr. Gilman, from the committee, also reported the resolution for an amendment to the constitution, respecting titles of nobility, correctly engrossed; and the resolution was read the third time as amended.

On the question, Shall this resolution pass as amended?

It was determined in the affirmative, { Yeas . . . . . 19,  
Nays . . . . . 5.

On motion,

The yeas and nays having been required by one-fifth of the Senators present,

Those who voted in the affirmative, are,

Messrs. Anderson, Champlin, Crawford, Franklin, Gaillard, Goodrich, Gregg, Hillhouse, Lambert, Leib, Lloyd, Mathewson, Meigs, Pickering, Reed, Smith, of Maryland, Sumter, Tait, and Turner.

Those who voted in the negative, are,

Messrs. German, Gilman, Robinson, Smith, of New York, and Whiteside.

So it was

*Resolved*, That this resolution pass as amended.

*Ordered*, That the Secretary request the concurrence of the House of Representatives in this resolution.

Mr. Whiteside, from the committee, reported that they had examined and found duly enrolled the bill, entitled "An act to establish post roads;" also, the bill, entitled "An act providing for the better accommodation of the General Post Office and Patent Office, and for other purposes."

A message from the House of Representatives, by Mr. Magruder, their Clerk:

*Mr. President*: The Speaker of the House of Representatives having signed two enrolled bills, I am directed to bring them to the Senate for the signature of their President. And he withdrew.

The President signed the two enrolled bills last reported to have been examined, and they were delivered to the committee, to be laid before the President of the United States.

On motion, by Mr. Lloyd,

It was agreed, by unanimous consent, that a bill in addition to an act, entitled "An act concerning the library for the use of both Houses of Congress," be now twice read.

On the question, Shall this bill be engrossed and read the third time?

It was determined in the affirmative.

Mr. Gilman, from the committee, reported the bill last mentioned correctly engrossed, and the bill was read the third time by unanimous consent.

*Resolved*, That this bill pass, and that the title thereof be "An act in addition to an act, entitled 'An act concerning the library for the use of both Houses of Congress.'"

*Ordered*, That the Secretary request the concurrence of the House of Representatives in this bill.

The bill, entitled "An act providing for the sale of certain lands in the Indiana territory, and for other purposes," was read the third time as amended.

*Resolved*, That this bill pass with amendments.

*Ordered*, That the Secretary request the concurrence of the House of Representatives therein.

The Senate resumed, as in committee of the whole, the bill, entitled "An act for the relief of Jared Shattuck," together with the amendment proposed thereto.

On motion,

*Resolved*, That the further consideration thereof be postponed to the first Monday in December next.

*Ordered*, That the Secretary notify the House of Representatives accordingly.

The Senate resumed, as in committee of the whole, the bill, entitled "An act for the relief of Margaret Lapsley, Grove Pomeroy, Arthur St. Clair, David Blackwell, Lucy Dickson, and John Murray."

On motion,

It was agreed that the further consideration thereof be the order of the day for to-morrow.

Mr. Whiteside, from the committee, reported that they this day laid before the President of the United States the enrolled bill, entitled "An act providing for the printing and distribution of such laws of the United States as respect the public lands;" also, the enrolled bill, entitled "An act concerning invalid pensioners."

After the consideration of the Executive business,

The Senate adjourned to 11 o'clock to-morrow morning; to which time the several orders of the day were postponed.

#### SATURDAY, APRIL 28, 1810.

After the consideration of the Executive business,

On request of Mr. Meigs, leave was obtained, by unanimous consent, to bring in a bill providing for the final adjustment of claims to lands in the territories of Orleans and Louisiana; and that the bill be now twice read.

On the question, Shall this bill be engrossed and read the third time?

It was determined in the affirmative.

Mr. Gilman, from the committee, reported the amendments to the bill, entitled "An act concerning the commercial intercourse between the United States and Great Britain and France, and their dependencies, and for other purposes," correctly engrossed; and the bill was read the third time as amended.

*Resolved*, That this bill pass with amendments.

*Ordered*, That the Secretary request the concurrence of the House of Representatives therein.

Mr. Smith, of Maryland, from the committee to whom was referred the bill appropriating a sum of money for procuring munitions of war, and for other purposes, reported it with amendments; which were read, and considered as in committee of the whole, and agreed to; and the President reported the bill to the House accordingly.

On the question, Shall this bill be engrossed and read the third time as amended?

It was determined in the affirmative.

A message from the House of Representatives, by Mr. Magruder, their Clerk:

*Mr. President*: The House of Representatives concur in the amendments of the Senate to the bill, entitled "An act providing for the sale of certain lands in the Indiana territory, and for other purposes." They have passed a bill, entitled "An act confirming the decisions of the commissioners in favor of the claimants of land in the district of Kaskaskia;" in which bill they desire the concurrence of the Senate. And he withdrew.

The bill last brought up for concurrence was twice read by unanimous consent.

On motion,

*Resolved*, That it be referred to a select committee, to consider and report thereon.

*Ordered*, That Messrs. Meigs, Gregg, and Anderson, be the committee.

The bill supplemental to an act, entitled "An act for the punishment of certain crimes against the United States," was read the second time.

On motion,

*Resolved*, That it be referred to a select committee, to consider and report thereon.

*Ordered*, That Messrs. Pope, Bayard, and Leib, be the committee.

Mr. Whiteside, from the committee, reported that they had examined and found duly enrolled the bill, entitled "An act regulating the post office establishment;" that they this day laid before the President of the United States the enrolled bill, entitled

"An act providing for the better accommodation of the General Post Office and Patent Office, and for other purposes;" also, the enrolled bill, entitled "An act to establish post roads."

The Senate resumed, as in committee of the whole, the bill, entitled "An act authorizing a detachment from the militia of the United States."

On motion, by Mr. Bayard,

*Resolved*, That the further consideration thereof be postponed until the first Monday in December next.

*Ordered*, That the Secretary notify the House of Representatives accordingly.

On motion,

The Senate adjourned to 11 o'clock on Monday morning; to which time the several orders of the day were postponed.

### MONDAY, APRIL 30, 1810.

The Senate resumed, as in committee of the whole, the bill making further provision for the corps of engineers, together with the amendment reported thereto by the select committee.

On motion,

*Resolved*, That the further consideration thereof be postponed until the first Monday in December next.

Mr. Whiteside, from the committee, reported that they had examined and found duly enrolled the bill, entitled "An act providing for the sale of certain lands in the Indiana territory, and for other purposes;" also, the bill, entitled "An act to extend the time for making payment for the public lands of the United States, in certain cases."

Mr. Turner, from the committee to whom was referred the bill, entitled "An act for the relief of John Minor, administrator of Reuben Minor," reported it without amendment.

*Ordered*, That this bill pass to the third reading.

A message from the House of Representatives, by Mr. Magruder, their Clerk:

*Mr. President*: The Speaker of the House of Representatives having signed three enrolled bills, I am directed to bring them to the Senate for the signature of their President. And he withdrew.

The President signed the three enrolled bills last reported to have been examined, and they were delivered to the committee, to be laid before the President of the United States.

The President communicated the report of the Secretary for the Department of the Treasury, made in pursuance of the resolution of the Senate of the 26th instant, on the subject of claims barred by the statute of limitations; and the report was read.

A message from the House of Representatives, by Mr. Magruder, their Clerk:

*Mr. President*: The House of Representatives have passed the bill sent from the Senate, entitled "An act in addition to an act, entitled 'An act concerning the Library for the use of both Houses of Congress.'" And he withdrew.

Mr. Whiteside, from the committee, reported that they had examined and found duly enrolled the bill last mentioned.

The Senate resumed, as in committee of the whole, the bill, entitled "An act for the relief of Margaret Lapsley, Grove Pomeroy, Arthur St. Clair, David Blackwell, Lucy Dixon, and John Murray."

On the question, Shall this bill be read a third time?

It was determined in the affirmative, { Yays . . . . . 15,  
Nays . . . . . 13.

On motion,

The yeas and nays having been required by one-fifth of the Senators present,

Those who voted in the affirmative, are,

Messrs. Anderson, Bayard, Brent, Champlin, Gilcs, Gilman, Goodrich, Horsey, Lloyd, Meigs, Pickering, Pope, Reed, Smith, of Maryland, and Sumter.

Those who voted in the negative, are,

Messrs. Condit, Crawford, Franklin, Gaillard, Gregg, Hillhouse, Lambert, Leib, Mathewson, Robinson, Smith, of New York, Tait, and Turner.

Mr. Gilman, from the committee, reported the bill providing for the final adjustment of claims to land in the territories of Orleans and Louisiana, correctly engrossed; and the bill was read the third time; and the blanks having been filled as follows: 1st, with the word "fifty;" 2d, with the word "fifty;" 3d, with the words "five hundred;" 4th, with the words "six hundred;" 5th, with the word "fifty;" 6th, with the word "four:"

*Resolved*, That this bill pass, and that the title thereof be "An act providing for the final adjustment of claims to lands in the territories of Orleans and Louisiana."

*Ordered*, That the Secretary request the concurrence of the House of Representatives in this bill.

Mr. Gilman, from the committee, reported the bill appropriating a sum of money for procuring munitions of war, and for other purposes, correctly engrossed; and the bill was read the third time as amended; and, the blanks having been filled as follows: 1st, with the words "one hundred thousand;" 2d, with the words "sixty thousand:"

*Resolved*, That this bill pass, and that the title thereof be "An act appropriating a sum of money for procuring clothing for the army and marine corps, and for other purposes."

*Ordered*, That the Secretary request the concurrence of the House of Representatives in this bill.

The Senate resumed, as in committee of the whole, the bill, entitled "An act authorizing a loan of money for a sum not exceeding the amount of the principal of the public debt reimbursable during the year 1810," together with the amendments reported thereto by the select committee; and having disagreed to the amendments,

*Ordered*, That this bill pass to the third reading.

Mr. Meigs, from the committee to whom was referred the bill, entitled "An act confirming the decisions of the commissioners in favor of claimants of land in the district of Kaskaskia," reported it without amendment.

The Senate resumed, as in committee of the whole, the bill, entitled "An act for the relief of Amey Dardin, widow and representative of David Dardin, deceased."

On the question, Shall this bill be read a third time?

It was determined in the negative.

*Ordered*, That the Secretary notify the House of Representatives accordingly.

On request, by Mr. Pope,

Mr. Clay had leave of absence, after the 27th instant, for the remainder of the session.

Mr. Smith, of New York, obtained leave of absence for Mr. German, for the remainder of the session.

Mr. Pope, from the committee to whom was referred the bill supplemental to an act, entitled "An act for the punishment of certain crimes against the United States," reported it without amendment.

After the consideration of the Executive business,

The Senate adjourned to 11 o'clock to-morrow morning; to which time the several orders of the day were postponed.

## TUESDAY, MAY 1, 1810.

After the consideration of the Executive business,

Mr. Whiteside, from the committee, reported that they yesterday laid before the President of the United States the enrolled bill, entitled "An act providing for the sale of certain lands in the Indiana territory, and for other purposes;" the enrolled bill, entitled "An act regulating the post office establishment;" also, the enrolled bill, entitled "An act to extend the time for making payment for the public lands of the United States, in certain cases."

The Senate resumed, as in committee of the whole, the bill supplemental to an act, entitled "An act for the punishment of certain crimes against the United States."

On motion,

*Resolved*, That the further consideration thereof be postponed until the first Monday in December next.

The Senate resumed, as in committee of the whole, the bill, entitled "An act confirming the decisions of the commissioners in favor of the claimants of lands in the district of Kaskaskia;" and

On motion,

The bill was read the third time by unanimous consent.

*Resolved*, That this bill pass.

*Ordered*, That the Secretary notify the House of Representatives accordingly.

The bill, entitled "An act authorizing a loan of money for a sum not exceeding the amount of the principal of the public debt reimbursable during the year 1810," was read the third time.

*Resolved*, That this bill pass.

*Ordered*, That the Secretary acquaint the House of Representatives with the concurrence of the Senate in this bill.

The bill, entitled "An act for the relief of John Minor, administrator of Reuben Minor," was read the third time.

Messrs. Condit, Crawford, Franklin, Gregg, Lambert, Lloyd, Pope, Reed, Smith, of New York, Tait, and Turner.

Those who voted in the negative, are,  
Messrs. Anderson, Gaillard, Giles, Gilman, Goodrich, Hillhouse, Horsey, Leib, Mathewson, Meigs, Pickering, Robinson, Smith, of Maryland, and Whiteside.

On motion,

*Resolved*, That the Senate insist on their amendments disagreed to by the House of Representatives to the bill last mentioned; and that they agree to the conference proposed by the House of Representatives on the subject; and that Messrs. Crawford, Smith, of Maryland, and Anderson, be managers at the same on the part of the Senate.

*Ordered*, That the Secretary notify the House of Representatives accordingly.

A message from the House of Representatives, by Mr. Magruder, their Clerk:

*Mr. President*: The House of Representatives concur in the resolution for an amendment to the constitution of the United States respecting titles of nobility. They have also passed the bill, entitled "An act to erect a light-house at the entrance of Scituate harbor; a stone column on a spit of sand at the entrance into Boston harbor; and a Beacon on Beach Point, near Plymouth harbor, in the state of Massachusetts; a light at the entrance of Bayou St. John into Lake Ponchartrain; and two lights on Lake Erie;" with amendments, in which they request the concurrence of the Senate. And he withdrew.

The Senate proceeded to consider the amendments of the House of Representatives to the bill last mentioned. Whereupon,

*Resolved*, That they concur therein.

*Ordered*, That the Secretary notify the House of Representatives accordingly.

The bill, entitled "An act further to amend 'An act providing for the third census or enumeration of the inhabitants of the United States,'" was three times read by unanimous consent.

*Resolved*, That this bill pass.

*Ordered*, That the Secretary acquaint the House of Representatives with the concurrence of the Senate in this bill.

A message from the President of the United States, by Mr. Coles, his Secretary:

*Mr. President*: The President of the United States has this day approved and signed "An act in addition to an act, entitled 'An act concerning the library for the use of both Houses of Congress,'" also, "An act to extend the time for making payment for the public lands of the United States in certain cases."

*Ordered*, That the Secretary notify the House of Representatives accordingly.

Mr. Hillhouse, from the committee to whom was recommitted the bill, entitled "An act for the relief of Margaret Lapsley, Grove Pomeroy, Arthur St. Clair, David Blackwell, Lucy Dixon, and John Murray," reported it with amendments; which were read and considered as in committee of the whole; and, having been agreed to, the President reported the bill to the House accordingly; and the bill was read the third time as amended, by unanimous consent.

*Resolved*, That this bill pass with amendments.

*Ordered*, That the Secretary request the concurrence of the House of Representatives therein.

Mr. Hillhouse, from the same committee, further reported, as follows:

*Resolved*, That the Secretary for the Department of the Treasury report to the Senate, at their next meeting, the necessary provisions for guarding the Treasury of the United States from fraud and imposition on the removal of the statute of limitations, in relation to the following claims mentioned in his report of the 28th of April, 1810, viz:

1. Loan office certificates.
2. Indents for interest on the public debt.
3. Final settlement certificates.
4. Commissioners' certificates.
5. Army certificates.
6. Credits given in lieu of army certificates cancelled.
7. Credits for the pay of the army, for which no certificates were issued.
8. Invalid pensions.

Also, how far the statute of limitations may with safety be removed, as to claims for personal services rendered in the army of the United States, during the Revolutionary war, and the guards and checks necessary and proper to be adopted; and the report was considered and agreed to.

Mr. Whiteside, from the committee, reported that they had examined and found duly enrolled the bill, entitled "An act further to alter and amend 'An act providing for the third census or enumeration of the inhabitants of the United States.'" That they this day laid before the President of the United States the enrolled bill, entitled

"An act confirming the decisions of the commissioners in favor of the claimants of land in the district of Kaskaskia;" also, the enrolled bill, entitled "An act authorizing a loan of money, for a sum not exceeding the amount of the principal of the public debt reimbursable during the year 1810."

Mr. Crawford, from the managers at the conference upon the disagreeing votes of the two Houses on the bill, entitled "An act concerning the commercial intercourse between the United States and Great Britain and France, and their dependencies, and for other purposes," made report.

Whereupon,

*Resolved*, That the Senate recede from that part of their fourth amendment which consists of the fourth section of the bill as amended, and that they adhere to all their other amendments to the said bill.

*Ordered*, That the Secretary notify the House of Representatives accordingly.

Mr. Pope, from the committee to whom was referred the bill, entitled "An act for the relief of William W. Weymouth and Joseph P. Weeks," reported it without amendment; and the bill was read the third time by unanimous consent.

*Resolved*, That this bill pass.

*Ordered*, That the Secretary acquaint the House of Representatives with the concurrence of the Senate in this bill.

Mr. Whiteside, from the committee, reported that they had examined and found duly enrolled the "Resolution for an amendment to the constitution of the United States, respecting titles of nobility;" also, the bill, entitled "An act fixing the compensation of ministers and of consuls residing on the coast of Barbary, and for other purposes;" also, the bill, entitled "An act to erect a light-house at the entrance of Scituate harbor; a stone column on a spit of sand at the entrance into Boston harbor; and a beacon on Beach Point, near Plymouth harbor, in the state of Massachusetts; a light at the entrance of Bayou St. John into lake Ponchartrain; and two lights on lake Erie; and for beacons and buoys near the entrance of Beverly harbor."

The President communicated a letter from the surveyor of the public buildings on the appropriation necessary for the completion of the north wing of the capitol; which was read.

A message from the House of Representatives, by Mr. Magruder, their Clerk:

*Mr. President*: The Speaker of the House of Representatives having signed an enrolled resolution, and also three enrolled bills, I am directed to bring them to the Senate for the signature of their President. And he withdrew.

The President signed the enrolled resolution, and also the three enrolled bills, last reported to have been examined, and they were delivered to the committee, to be laid before the President of the United States.

On motion,

*Resolved*, That Messrs. Crawford and Lloyd be a committee on the part of the Senate, with such as the House of Representatives may join, to wait on the President of the United States and notify him, that, unless he may have any further communications to make to the two Houses of Congress, they are ready to adjourn.

*Ordered*, That the Secretary acquaint the House of Representatives therewith.

Mr. Whiteside, from the committee, reported that they this day laid before the President of the United States, the enrolled resolution, and also the three enrolled bills, last mentioned; and that they had examined and found duly enrolled the bill, entitled "An act for the relief of William W. Weymouth and Joseph P. Weeks."

On motion,

*Ordered*, That the further consideration of the bill, entitled "An act for the relief of John Minor, administrator of Reuben Minor," be postponed until the first Monday in December next.

A message from the President of the United States, by Mr. Coles, his Secretary:

*Mr. President*: The President of the United States has this day approved and signed the enrolled bill, entitled "An act to erect a light-house at the entrance of Scituate harbor; a stone column on a spit of sand at the entrance into Boston harbor; and a beacon on Beach Point, near Plymouth harbor, in the state of Massachusetts; a light at the entrance of Bayou St. John into lake Ponchartrain; and two lights on lake Erie; and for beacons and buoys near the entrance of Beverly harbor;" and the enrolled bill, entitled "An act fixing the compensation of ministers and of consuls residing on the coast of Barbary, and for other purposes."

*Ordered*, That the Secretary notify the House of Representatives accordingly.

A message from the House of Representatives, by Mr. Magruder, their Clerk:

*Mr. President*: The House of Representatives have passed the bill, entitled "An act allowing compensation to Robert Robinson." The Speaker of the House of Repre-

sentatives having signed an enrolled bill, I am directed to bring it to the Senate for the signature of their President. The House of Representatives concur in the amendments of the Senate to the bill, entitled "An act for the relief of Margaret Lapsley, Grove Pomeroy, Arthur St. Clair, David Blackwell, Lucy Dixon, and John Murray." And he withdrew.

The President signed the enrolled bill last reported to have been examined, and it was delivered to the committee, to be laid before the President of the United States.

Mr. Whiteside, from the committee, reported that they had examined and found duly enrolled the bill, entitled "An act concerning the commercial intercourse between the United States and Great Britain and France, and their dependencies, and for other purposes."

A message from the House of Representatives, by Mr. Magruder, their Clerk:

*Mr. President:* The House of Representatives have passed a bill, entitled "An act making further appropriations for completing the capitol, and for other purposes;" also, a bill, entitled "An act for the relief of P. C. L'Enfant;" in which bills they desire the concurrence of the Senate. And he withdrew.

The bill, entitled "An act making further appropriations for completing the capitol, and for other purposes," was three times read by unanimous consent.

*Resolved,* That this bill pass.

*Ordered,* That the Secretary acquaint the House of Representatives with the concurrence of the Senate in this bill.

The bill, entitled "An act for the relief of P. C. L'Enfant," was read three times, by unanimous consent.

*Resolved,* That this bill pass.

*Ordered,* That the Secretary acquaint the House of Representatives with the concurrence of the Senate in this bill.

A message from the House of Representatives, by Mr. Magruder, their Clerk:

*Mr. President:* The Speaker of the House of Representatives having signed an enrolled bill, I am directed to bring it to the Senate for the signature of their President. And he withdrew.

The President signed the enrolled bill last reported to have been examined, and it was delivered to the committee, to be laid before the President of the United States.

A message from the House of Representatives, by Mr. Magruder, their Clerk:

*Mr. President:* The House of Representatives concur in the amendment of the Senate to the bill, entitled "An act making appropriations for carrying into effect certain Indian treaties." The House of Representatives concur in the resolution for the appointment of a joint committee to wait upon the President of the United States and notify him of the intended recess, and have appointed a committee on their part. And he withdrew.

Mr. Whiteside, from the committee, reported that they this day laid before the President of the United States the following enrolled bills: "An act concerning the commercial intercourse between the United States and Great Britain and France, and their dependencies, and for other purposes;" also, "An act for the relief of William W. Weymouth and Joseph P. Weeks;" and that they had examined and found duly enrolled the bill, entitled "An act for the relief of Arthur St. Clair;" the bill, entitled "An act for the relief of P. C. L'Enfant;" the bill, entitled "An act making further appropriations for completing the capitol, and for other purposes;" the bill, entitled "An act allowing compensation to Robert Robinson;" also, the bill, entitled "An act making appropriations for carrying into effect certain Indian treaties."

A message from the House of Representatives, by Mr. Magruder, their Clerk:

*Mr. President:* The Speaker of the House of Representatives having signed several enrolled bills, I am directed to bring them to the Senate for the signature of their President. And he withdrew.

The President signed the five enrolled bills last reported to have been examined, and they were delivered to the committee, to be laid before the President of the United States.

Mr. Whiteside, from the committee, reported that they this day laid before the President of the United States the following enrolled bills: the bill entitled "An act for the relief of Arthur St. Clair;" the bill, entitled "An act for the relief of P. C. L'Enfant;" the bill, entitled "An act making further appropriations for completing the capitol, and for other purposes;" the bill, entitled "An act allowing compensation to Robert Robinson;" also, the bill, entitled "An act making appropriations for carrying into effect certain Indian treaties."

Mr. Crawford, from the joint committee, reported that they had waited on the President of the United States, who informed them that he had no further communications to make to the two Houses of Congress.

On motion,

*Ordered*, That the Secretary notify the House of Representatives that the Senate, having finished the business before them, are about to adjourn.

The Secretary having performed that duty,

On motion,

The President adjourned the Senate without day.

## APPENDIX.

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### *List of Acts passed during the Second Session of the Eleventh Congress.*

- An act to authorize the transportation of certain documents free of postage.
- An act supplemental to an act, entitled "An act extending the right of suffrage in the Indiana territory, and for other purposes."
- An act extending the time for issuing and locating military land warrants.
- An act for the relief of William and Elias Rector.
- An act to revive and continue in force, for a further time, the first section of the act, entitled "An act further to protect the commerce and seamen of the United States against the Barbary powers."
- An act to extend certain privileges therein mentioned to Joseph Joshua Dyster.
- An act for the relief of Harry Caldwell and Amasa Jackson, Jeremiah Reynolds and Levin Jones.
- An act in addition to the act to regulate the laying out and making a road from Cumberlandland, in the state of Maryland, to the state of Ohio.
- An act for the relief of John N. Stout.
- An act authorizing the discharge of William Hawkins from his imprisonment.
- An act to prescribe the mode in which application shall be made for the purchase of land at the several land offices; and for the relief of Joab Garret.
- An act further to provide for the refugees from the British provinces of Canada and Nova Scotia, and for other purposes.
- An act making appropriations for the support of government during the year one thousand eight hundred and ten.
- An act making appropriations for the support of the navy of the United States for the year one thousand eight hundred and ten.
- An act making appropriations for the support of the military establishment of the United States for the year one thousand eight hundred and ten.
- An act for the appointment of an additional judge, and extending the right of suffrage to the citizens of Madison county, in the Mississippi territory.
- An act to extend the time for locating Virginia military land warrants, and for returning the surveys thereon to the Secretary of the Department of War.
- An act providing for the third census or enumeration of the inhabitants of the United States.
- An act for altering the time for holding the district court in Ohio.
- An act to prevent the issuing of sea-letters, except to certain vessels.
- An act making an appropriation for the purpose of trying the practical use of the torpedo, or submarine explosion.
- An act to make public a road in Washington county, in the District of Columbia.
- An act for the relief of Tristram Hussey.
- An act to alter and amend an act, entitled "An act providing for the third census or enumeration of the inhabitants of the United States."
- An act authorizing the discharge of John Kerr from his imprisonment.
- An act for the relief of William Baynham.
- An act to incorporate a company for making certain turnpike roads in the District of Columbia.
- An act to amend an act, entitled "An act for the establishment of a turnpike company in the county of Alexandria, in the District of Columbia."
- An act for the relief of Moses Young.
- An act to allow the benefit of drawback on merchandise transported by land conveyance from Newport to Boston, and from Boston to Newport, in like manner as if the same were transported coastwise.
- An act to establish post roads.
- An act concerning invalid pensioners.

- An act providing for the printing and distributing of such laws of the United States as respect the public lands.
- An act providing for the better accommodation of the General Post Office and Patent Office, and for other purposes.
- An act providing for the sale of certain lands in the Indiana territory, and for other purposes.
- An act to extend the time for making payment for the public lands of the United States, in certain cases.
- An act regulating the post office establishment.
- An act further to alter and amend "An act providing for the third census or enumeration of the inhabitants of the United States."
- An act concerning the commercial intercourse between the United States and Great Britain and France, and their dependencies, and for other purposes.
- An act confirming the decisions of the commissioners in favor of the claimants in the district of Kaskaskia.
- An act for making further appropriations for completing the capitol, and for other purposes.
- An act allowing compensation to Robert Robinson.
- An act making appropriations for carrying into effect certain Indian treaties.
- An act fixing the compensation of public ministers and of consuls residing on the coast of Barbary, and for other purposes.
- An act authorizing a loan of money for a sum not exceeding the amount of the principal of the public debt reimbursable during the year one thousand eight hundred and ten.
- An act for the relief of P. C. L'Enfant.
- An act to erect a light-house at the entrance of Scituate harbor; a stone column on a spit of sand at the entrance into Boston harbor; and a beacon on Beach Point, near Plymouth harbor, in the state of Massachusetts; a light-house at the entrance of Bayou St. John into Lake Ponchartrain; and two lights on Lake Erie; and for beacons and buoys near the entrance of Beverly harbor.
- An act for the relief of Arthur St. Clair.
- An act for the relief of William W. Weymouth and Joseph P. Weeks.
- An act in addition to an act, entitled "An act concerning the Library for the use of both houses of Congress."
- Resolution approving of the conduct of the Executive in refusing to receive any further communications from Francis J. Jackson, the British minister.
- Resolution proposing an amendment to the constitution of the United States.

*Senators of the United States whose seats will be vacated:*

MARCH, 1811.	MARCH, 1813.	MARCH, 1815.
Mr. Bayard, Clay, Condit, Crawford, Giles, Gilman, Mathewson Pickering, Sumter, Turner, Whiteside.	Mr. Bradley, Campbell, Franklin, Gaillard, Goodrich, Gregg, Parker, Pope, Reed, Smith, of New York, Tait.	Mr. Anderson, Brent, Champlin, German, Hillhouse, Horsey, Lambert, Leib, Lloyd, Meigs, Robinson, Smith, of Maryland.